

the Rio Grande at or near Rio Grande City, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES J. DELANEY:

H. R. 5303. A bill to authorize the reinstatement of Anthony P. Campanella as a teacher in the high schools of the District of Columbia; to the Committee on the District of Columbia.

By Mr. DURHAM:

H. R. 5304. A bill for the relief of Pearson Remedy Co.; to the Committee on Claims.

By Mr. PFEIFER:

H. R. 5305. A bill for the relief of Joseph Scotto; to the Committee on Immigration and Naturalization.

By Mr. SPRINGER:

H. R. 5306. A bill to extend Letters Patent No. 1,734,445; to the Committee on Patents.

By Mr. WEST:

H. R. 5307. A bill for the relief of Ben V. King; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII:

1507. Mr. CLASON presented a petition of Royal G. Daniels and others, World War II veterans employed at Westinghouse Electric Corp., at Springfield, Mass., urging repeal of provisions in the GI bill of rights restricting payment of benefits to veterans while strikes are in progress, and for other purposes, which was referred to the Committee on World War Veterans' Legislation.

SENATE

THURSDAY, JANUARY 31, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Lord God Almighty, who amidst the shifting sands of time standest sure, like men who turn from dusty toil to crystal streams, so we lift our soiled faces to Thee from the perplexities and the imperfections which crowd the common days. As we pause in reverent silence, let this high place, so great a factor in tomorrow's pattern for all men, become the audience chamber of Thy presence. Because there is no solution of the world's ills save as it springs from the hearts of men, we pray for ourselves: Cleanse Thou our hearts by Thy grace, feed our minds with Thy truth, guide our feet in Thy paths. For Thy name's sake. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a bill (H. R. 5158) reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. BILBO obtained the floor.

Mr. WHERRY and Mr. RUSSELL addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Nebraska?

Mr. BILBO. I promised to yield first to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I merely wish to do the customary thing of asking unanimous consent that a quorum be called without prejudicing the rights of the Senator from Mississippi to the floor.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Myers
Austin	Hart	O'Daniel
Bailey	Hatch	Pepper
Bankhead	Hawkes	Reed
Barkley	Hayden	Revercomb
Bilbo	Hickenlooper	Robertson
Brewster	Hill	Russell
Briggs	Hoey	Saltonstall
Buck	Huffman	Shipstead
Bushfield	Johnson, Colo.	Smith
Butler	Johnston, S. C.	Stanfill
Byrd	Kilgore	Stewart
Capehart	La Follette	Taylor
Capper	Langer	Thomas, Okla.
Chavez	Lucas	Thomas, Utah
Cordon	McCarran	Tobey
Donnell	McClellan	Tydings
Downey	McFarland	Walsh
East and	McKellar	Wheeler
Ellender	McMahon	Wherry
Ferguson	Maybank	White
Fulbright	Mead	Wiley
George	Millikin	Willis
Gerry	Morse	Wilson
Gossett	Murdock	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Louisiana [Mr. OVERTON], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Washington [Mr. MITCHELL] is absent on official business.

The Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MURRAY], and the Senator from Maryland [Mr. RADCLIFFE] are detained on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], the Senator from Oklahoma [Mr. MOORE], and the Senator from Ohio [Mr. TAIT] are necessarily absent.

The PRESIDENT pro tempore. Seventy-five Senators having answered to their names, a quorum is present.

TWENTY-FIRST REPORT TO CONGRESS ON LEND-LEASE OPERATIONS—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore. Before the Senator from Mississippi starts his remarks the Chair desires to lay before the Senate a message from the President of the United States on the twenty-first report to Congress on lend-lease operations for the period ended September 30, 1945. The message is short, and, without objection, it will be read at this time.

(For President's message, see p. 661 of the House proceedings of today's RECORD.)

The PRESIDENT pro tempore. The message and report will be referred to the Committee on Foreign Relations.

LOAN TO GREAT BRITAIN—JOINT RESOLUTION INTRODUCED

Mr. BILBO. Mr. President, there are several of my colleagues who wish to present matters to be printed in the RECORD, and I shall be glad to yield to each of them, without losing the floor. I first yield to my beloved leader, who wishes to return to his committee work.

Mr. BARKLEY. I thank the Senator. I ask unanimous consent to introduce a joint resolution, to be referred to the Committee on Banking and Currency.

The PRESIDENT pro tempore. Without objection, the joint resolution will be received and referred to the Committee on Banking and Currency.

The joint resolution (S. J. Res. 138) to implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes, was read twice by its title and referred to the Committee on Banking and Currency.

Mr. BARKLEY. Mr. President, I ask also to have printed at this point in my remarks a press release with respect to the joint resolution I have just introduced.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The President has now transmitted to the Congress the financial agreement with the United Kingdom with the request that the Congress take appropriate steps to implement it. I have, consequently, introduced a joint resolution for this purpose.

The financial agreement with Britain is a necessary and integral part of the international economic program of the United States, which is designed to promote the peace and prosperity of the world. This program has two broad objectives. The first is to eliminate discriminatory and restrictive trade practices and to prevent the development of conflicting economic blocs. The second is to create through international cooperation the conditions necessary for an expansion of world trade in which all coun-

tries can participate on a fair and equal basis.

We know from experience that a prosperous world is a peaceful world. When world trade breaks down, when countries adopt restrictive and discriminatory currency devices, they invite retaliatory measures, and they help to spread and intensify depression. That is economic warfare. It is a risk the world can no longer afford to take.

The policy of this Government has been to prevent any danger of economic warfare by getting the United Nations to cooperate in maintaining fair currency and trade practices. The International Fund, the International Bank, and the proposed International Trade Organization are the instrumentalities through which this policy of international economic cooperation will be put into effect. We have urged this policy because American prosperity depends on expanding world trade and an opportunity to export the products of our factories and farms. We have urged this policy because we believe it is an indispensable condition for the maintenance of peace.

At the time that the Bretton Woods agreements were drafted there were a number of the United Nations that could not adopt immediately the currency practices required by the International Monetary Fund. It was realized that these countries would need a period of time in which to reconstruct their economies and to restore their trade. The fund agreement provided for such countries a transitional period, during which they would not be required to apply the fundamental rule of nondiscrimination in their exchange transactions.

Britain is one of those countries which justifiably could avail itself of these transitional provisions. During the war, her export trade fell to 30 percent of the prewar volume. Much of her merchant fleet, from which she used to derive an important part of her foreign exchange receipts, was lost in the submarine warfare. More than \$4,500,000,000 of her foreign investments were sold and her foreign obligations were increased to more than \$13,000,000,000 to provide the foreign exchange resources for war. Unless she can find some means to pay for her essential imports, Britain must depend upon the transitional provisions. She would be compelled to maintain her wartime currency and import controls, and she might even find it necessary to extend and intensify these controls.

It is in our interest to help Britain eliminate soon these wartime controls. Britain is the world's largest importing country. She is the center of the British Empire and the sterling area, a group of countries that carry on nearly half the world's trade. Britain is our best customer. The British Empire and the sterling area buy more than 40 percent of the exports of the United States. The continuation of Britain's wartime controls would make it difficult for other countries to give up their wartime controls. It would be a serious blow to our exporters. Even after the transition period has passed, we might never regain the important position we hold in these markets.

The financial agreement with Britain has no other purpose than to make it possible for Britain to give up these wartime currency and trade controls.

When this agreement is approved by Congress, Americans who export to Britain will be paid in dollars; or if they are paid in sterling, they will be permitted to convert the sterling into dollars.

Within a year the proceeds of exports to Britain from all other countries will be convertible into any currency. The money will be free for use in buying goods in any country, including the United States.

Within a year the allocation of dollars to sterling area countries from the London pool will be abandoned. Any country securing dollars from business with the United

States will be able to spend it here without waiting for approval from any other country.

The accumulated sterling balances will be settled by Britain with the countries directly concerned. Any funds released under this settlement, immediately or in future payments, can be spent in any country including the United States.

Furthermore, import licensing in Britain will not be used to discriminate against American exports. And Britain also associates herself with the American proposals to reduce unnecessary barriers to trade and to eliminate discriminations in trade. She will support the United States on these policies in the conference to be held to establish International Trade Organization.

These are far-reaching commitments that Britain undertakes in the financial agreement. Their effects on world trade and on American trade are of tremendous significance. They can be carried out by Britain, promptly, if she can get help in meeting her essential import needs during the transition period. Some of this help Britain can get from other countries. Much of it she can get only from us.

That is the other feature of the financial agreement, the credit to Britain. If Congress approves this agreement, a line of credit of \$3,750,000,000 will be made available to Britain to pay for her current needs. None of the credit can be used to liquidate existing obligations. This credit will remain open for use until 1951. In that year she will begin repayment of the amount used, together with interest at 2 percent. Under certain conditions, the interest—but not the principal—due in any given year may be waived for that year. The whole credit will be repaid in 50 annual payments.

The Senate is fully aware of the importance of this agreement to our foreign policy and to our economic policy. In the words of the President, this agreement is an essential part of our program for establishing a peaceful and prosperous world. I am confident that the Senate hearings and discussions will provide us all with ample opportunity to give full and fair consideration to the proposed agreement.

Joint resolution to further implement the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes

Whereas in the Bretton Woods Agreements Act the Congress has declared it to be the policy of the United States "to seek to bring about further agreement and cooperation among nations and international bodies, as soon as possible, on ways and means which will best reduce obstacles to and restrictions upon international trade, eliminate unfair trade practices, promote mutually advantageous commercial relations, and otherwise facilitate the expansion and balanced growth of international trade and promote the stability of international economic relations"; and

Whereas in further implementation of the purposes of the Bretton Woods agreements, the Governments of the United States and the United Kingdom have negotiated an agreement dated December 6, 1945, designed to expedite the achievement of stable and orderly exchange arrangements, the prompt elimination of exchange restrictions and discriminations, and other objectives of the above-mentioned policy declared by the Congress: Therefore, be it

Resolved, etc., That the Secretary of the Treasury, in consultation with the National Advisory Council on International Monetary and Financial Problems, is hereby authorized to carry out the agreement dated December 6, 1945, between the United States and the United Kingdom which was transmitted by the President to the Congress on January 30, 1946.

SEC. 2. The Secretary of the Treasury is authorized in the manner prescribed by subsection (b) of section 7 of the Bretton Woods Agreements Act (act of July 31, 1945, Public Law 171, 79th Cong.), to provide and use an amount not to exceed \$3,750,000,000 solely for the purpose of carrying out the agreement between the United States and the United Kingdom. Payments to the United Kingdom under this act and pursuant to the agreement and repayments shall be treated in the manner prescribed by subsection (b) of section 7 of the Bretton Woods Agreements Act, and payments of interest to the United States shall be covered into the Treasury as miscellaneous receipts.

Mr. LANGER. Mr. President, reserving the right to object, I wish to ask what the joint resolution is.

Mr. BARKLEY. It is a joint resolution I offered yesterday following the President's message and was not permitted to introduce, implementing the message, and providing for carrying out the agreement between the United States and the United Kingdom about the loan.

Mr. LANGER. It is my understanding that I am to be asked to attend the committee hearings.

Mr. BARKLEY. I assured the Senator, and I now assure him publicly, that when the hearings are in progress before the Committee on Banking and Currency on the joint resolution, the Senator will receive an invitation to attend and to make his views known with respect to the measure, and I should be glad to extend to him every courtesy in that connection.

Mr. LANGER. May I have the privilege of bringing witnesses?

Mr. BARKLEY. That was not included in our conversation. The length of the hearings and the number of witnesses, of course, will be determined by the committee. I am sure that the committee will give earnest consideration to any request the Senator from North Dakota might make on the subject. But I do not know how many witnesses it will be necessary to call, or how many will appear for or against the measure. The committee, however, will afford the Senator every courtesy consistent with usual committee procedure.

Mr. LANGER. I wish to say to the distinguished Senator that I feel very strongly on this subject. That is why I made what was an unusual objection to the introduction of the joint resolution. I feel strongly on this subject because of the immense sum of money involved.

Mr. BARKLEY. I understand that the Senator is opposed to the joint resolution and opposed to the proposed loan and will make his attitude known in the Senate and, if he wishes, before the committee.

Mr. LANGER. That is correct.

HARRY HOPKINS

Mr. MAYBANK. Mr. President, will the Senator from Mississippi yield to me?

Mr. BILBO. I yield.

Mr. MAYBANK. I ask unanimous consent to have printed in the Record an editorial published in the New York Times of yesterday entitled "A Good Soldier Dies." I also ask to have printed in the Record an editorial entitled "Harry Hopkins," published in the Washington Star of yesterday.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times]

A GOOD SOLDIER DIES

Harry L. Hopkins had two careers. He was a social worker, beginning as director of a boys' summer camp and resident in a settlement house, and ending as dispenser of \$8,500,000,000 of Federal funds in the largest relief program in history. He was an appointed official and an unofficial Presidential adviser who little by little withdrew his energies from relief and reform and devoted them to getting ready for, and helping to win, a world war. In none of these capacities did he spare himself. In none was he ambiguous. As head of FERA, CWA, and WPA he developed the theory that the Federal Government had a direct responsibility for the welfare of its citizens, and that it was better and more American that those on relief should receive a wage rather than a dole. The practice was not always as good as the theory, but Harry Hopkins stuck to it and wrecked his health trying to make it work. As Secretary of Commerce, as Lend-Lease Administrator, and as Presidential emissary abroad he labored in pain and fatigue to bring home the realities of impending war, to strengthen faith in our national allies and to make victory possible.

Much that the late President Roosevelt accomplished would have been impossible without the help of Harry Hopkins. The friendship of the two men lay in mutual trust and was more than political. In this relationship Harry Hopkins was never merely a yes-man or errand boy. He helped form policy, as when he came back from Europe in 1941 and reported that both Russia and Britain would stand against the Nazi onslaught; and when he encouraged President Roosevelt to put aside further New Deal adventures in order to unite the Nation for the impending crisis. Some of his old associates thought he had betrayed reform. He had not done so. He had merely come to realize that there would be no chance for reform if Hitler were not crushed.

Like the late President, he was a good soldier, bearing his wounds bravely and keeping up the battle as long as he was needed and the strength was in him. At 55 he died too young. He deserves the honors we pay to veterans who gave all they had to the service of their country.

[From the Washington Star]

HARRY HOPKINS

Harry Hopkins cheerfully accepted the role in the Roosevelt administration to which his critics assigned him—the whipping boy of the New Deal. When it was politically unwise to attack the President, it was popular to lambaste Harry Hopkins. To many he became a sort of sinister embodiment of the New Deal when the term came into opprobrious use. Here was a "social worker" who had "never met a pay roll in his life," cocksure and full of wisecracks, given dictatorial authority to spend some \$3,000,000,000 on projects which seemed as transitory as the raked leaves. And whether or not he ever said it, the boastful "spend and spend and spend, and tax and tax and tax, and elect and elect and elect" aptly expressed a popular estimate of his political philosophy.

The war gave Mr. Hopkins a new field of activity, but in the eyes of his defamers he merely went from bad to worse. Instead of spending hundreds of millions through CWA and WPA, he was pictured now as the shadowy figure behind the throne, scheming to get us into war, surreptitiously slipping treasure to our allies, hobnobbing with premiers, generalissimos, and dictators, and selling his country down the river.

Now that he is gone, it may be hoped that some surviving member of the intimate circle in which he lived and worked will make available the real story of Mr. Hopkins and the President. His value to Mr. Roosevelt, aside from his ability to do a job, evidently lay in a devoted loyalty which inspired complete confidence and a personality which the President found free of irritation. Those who best could tell this story would reveal a more credible account of the services performed by Mr. Hopkins than the myths which were created by his enemies. Their conception of Mr. Hopkins and the value of his war work pictures him as a selfless, shrewd, and able administrator, unquestioning in sacrifice to duty, stoically accepting such personal tragedies as the death of his youngest son in action, spending his frail health beyond endurance. He was credited with an ability to deal so forthrightly, yet without offense with our allies, that he was chosen for the most difficult missions in pursuit of what we needed. And no scandal of personal aggrandizement was ever made to stick to his name.

The death of Mr. Roosevelt ended an association which is unique and, therefore, of fascinating interest to the historians. One may believe that when its details are recorded Mr. Hopkins will outlive the memory of his detractors.

Mr. MAYBANK. I may say, Mr. President, that in the passing of Harry Hopkins the people of the United States have lost one of their great war leaders, a man who gave understandingly of his time, his service, and his energy, always in the interest of America and the American people during the crisis of the war and the period immediately following the war.

Mr. President, in the death of Mr. Hopkins I have lost a very dear personal friend. The editorials I have placed in the RECORD truly picture his character, his courage, and his unselfishness.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON DISPOSITION OF SURPLUS WAR-BUILT MERCHANT SHIPS

A letter from the Secretary of the Navy, transmitting a confidential copy of a report of the Joint Chiefs of Staff on the disposition of surplus war-built merchant ships (with an accompanying report); to the Committee on Commerce.

REPORT ON CERTAIN LANDS WITHIN INDIAN RESERVATIONS

A letter from the Acting Secretary of the Interior, reporting, pursuant to law, that no lands valuable for power or reservoir sites or necessary for use in connection with irrigation projects have been reserved from lands within Indian reservations; to the Committee on Indian Affairs.

REPORT OF UNITED STATES OFFICE OF EDUCATION

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the Annual Report of the Office of Education for the fiscal year 1945 (with an accompanying report); to the Committee on Education and Labor.

REPORT OF SOCIAL SECURITY BOARD

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the Tenth Annual Report of the Social Security Board, for the fiscal year ended

June 30, 1945 (with an accompanying report); to the Committee on Finance.

REPORT OF SURPLUS PROPERTY ADMINISTRATION

A letter from the Administrator of the Surplus Property Administration, transmitting, pursuant to law, the fourth quarterly progress report of that Administration, 1945 (with an accompanying report); to the Committee on Military Affairs.

REPORT OF SURPLUS PROPERTY BOARD

A letter from the Administrator of the Surplus Property Administration, transmitting, pursuant to law, the third quarterly progress report of the Surplus Property Board, 1945 (with an accompanying report); to the Committee on Military Affairs.

REPORT OF CAPITAL TRANSIT CO.

A letter from the president of the Capital Transit Co., Washington, D. C., transmitting, pursuant to law, a report covering operations of that company for the calendar year 1945, with balance sheet as of December 31, 1945 (with accompanying papers); to the Committee on the District of Columbia.

REPORT OF WASHINGTON RAILWAY & ELECTRIC CO.

A letter from the vice president of the Washington Railway & Electric Co., transmitting, pursuant to law, a report of that company for the year ended December 31, 1945 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF POTOMAC ELECTRIC POWER CO.

A letter from the general manager of the Potomac Electric Power Co., Washington, D. C., transmitting, pursuant to law, a report of that company for the year ended December 31, 1945 (with an accompanying report); to the Committee on the District of Columbia.

STATEMENT OF RECEIPTS AND EXPENDITURES OF THE CHESAPEAKE & POTOMAC TELEPHONE CO.

Two letters from the president of the Chesapeake & Potomac Telephone Co., Washington, D. C., transmitting, pursuant to law, a comparative general balance sheet and a corrected statement of receipts and expenditures of that company for the year ended December 31, 1945 (with accompanying reports); to the Committee on the District of Columbia.

PETITIONS AND MEMORIAL

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California, to the Committee on Military Affairs.

"Senate Joint Resolution 2

"Joint resolution relative to memorializing the President and Congress of the United States to declare as surplus all unnecessary building materials held by the armed forces and to provide preference rights to veterans in sales of such materials

"Whereas the conclusion of actual hostilities finds the armed services of the United States in possession of large quantities of building materials in this State which are no longer needed in the prosecution of the war; and

"Whereas there exists in this State an immediate and urgent need to provide adequate housing facilities for our citizens and especially for returning veterans and their families; and

"Whereas it is only fitting and proper that a grateful Nation afford every possible opportunity to its veterans to reestablish themselves in civil life and in comfortable, sanitary, and healthful surroundings: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby memorializes and respectfully urges the President and the Congress of the United States immediately to declare as surplus all building materials now held by the armed forces in this State and which are no longer required for military purposes, and to provide proper measures whereby veterans be given a priority in the purchase of such materials; and be it further

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, and to the President pro tempore of the Senate, to the Speaker of the House of Representatives, and to each of the Senators and Representatives of this State in the Congress."

By Mr. LA FOLLETTE:

A resolution adopted by the Common Council of the City of Milwaukee, Wis., praying for the enactment of House bill 2232, providing for a permanent Fair Employment Practice Committee; ordered to lie on the table.

By Mr. CAPPER:

A petition of sundry members of St. Paul's Evangelical and Reformed Church, of Eudora, Kans., praying for the enactment of legislation to provide for the immediate release of conscientious objectors in the armed forces; to the Committee on Military Affairs.

A memorial of sundry members and friends of St. Paul's Evangelical and Reformed Church of Eudora, Kans., remonstrating against the enactment of legislation providing for compulsory military conscription; to the Committee on Military Affairs.

DEMOBILIZATION OF ARMED FORCES— PETITION

Mr. LANGER. Mr. President, I present a petition signed by more than 100 residents of the city of Jamestown, N. Dak., the signatures to which, I am told, were secured in less than 1 hour. I may say that I know most of the signers personally, and they are of all political complexions. The petition reads as follows:

We, the undersigned, citizens of the city of Jamestown, Stutsman County, N. Dak., demand that all men who have been in the armed forces for 2 years and have served overseas be released immediately. We believe there are shipping accommodations to bring the men who are eligible for discharge home from both the Pacific and European theaters if the facilities are used properly and for the purpose of bringing the eligible men of the armed forces to the United States.

AMENDMENT OF RAILROAD RETIREMENT ACT—PETITION

Mr. CAPPER. Mr. President, I have received a petition signed by several hundred railroad employees of Liberal, Kans., asking me to work for a measure that will amend the Railroad Retirement Act, changing the age limit to 60 years, and the total disability clause to include those with 10 years' service with the railroads. I think this suggestion is worthy of serious consideration. I ask that the petition be referred to the Committee on Interstate Commerce for early consideration. The petition is as follows:

We, the undersigned railroad employees, ask that you exert your influence in having the railroad retirement law amended, changing the age limit to 60 years and the total disability clause to include those with 10 years' service with the railroads.

The PRESIDENT pro tempore. Without objection, the petition will be re-

ceived and referred to the Committee on Interstate Commerce, as requested by the Senator from Kansas.

DISTRICT OF COLUMBIA REPRESENTA- TION IN THE CONGRESS

Mr. CAPPER. Mr. President, I have received a copy of a resolution adopted by the Hampshire Heights (D. C.) Citizen's Association urging the Congress to enact the Capper-Sumners resolution granting District representation in the Senate and House of Representatives, as well as Presidential electors.

I ask unanimous consent to present the resolution for appropriate reference and that it be printed in the Record.

There being no objection, the resolution was received, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Whereas there is now in committee the Sumners-Capper resolution which provides for an amendment to the Constitution to empower Congress to grant the District representation in the Senate and the House of Representatives and among the electors; and

Whereas it is the desire of the greater number of Washingtonians that this resolution be favorably acted upon; and

Whereas this association has on a number of occasions in the past years endorsed such action: Therefore be it

Resolved in regular meeting assembled this 22d day of January 1946, That Hampshire Heights Citizens' Association go on record as favoring the passage of this resolution; and, further

Resolved, That copies of this resolution be sent the following: The president of the United States Federation of Citizens' Association; Senators CAPPER, WHERRY, STANFILL, and MURDOCK; Senate Judiciary Committee; Representative SUMNERS; Central Suffrage Conference.

Respectfully submitted.

DON. R. LAMBORNE,
Chairman, Suffrage Committee.

SUSPENSION OF IMMIGRATION—RESOLU- TION OF VETERANS OF FOREIGN WARS OF THE UNITED STATES

Mr. CAPPER. Mr. President, I have received from the national legislative committee of the Veterans of Foreign Wars, a very fine organization, a copy of a resolution adopted by them in which they take a stand for suspension of all immigration. I ask unanimous consent to present the resolution for appropriate reference and that it be printed in the Record. I believe this proposal has strong support in my section of the country.

There being no objection, the resolution was received, referred to the Committee on Immigration, and ordered to be printed in the Record, as follows:

Whereas the critical shortage of housing in the United States is such as to require a period of 10 years for construction of new homes before the housing accommodations will meet the demands of the population of the United States; and

Whereas the United States has an obligation to first furnish employment to the men and women of the armed forces who have defended this country, and also furnish employment to the other employable citizens of the United States; and

Whereas unrestricted immigration to this country will intensify the critical housing shortage and prevent the furnishing of employment to returned veterans and employable citizens: Therefore be it

Resolved, by the Veterans of Foreign Wars of the United States, through its national legislative committee, meeting in Washington January 14, 15, and 16, 1946, That Congress be requested to immediately enact legislation prohibiting immigration from all countries for a period of 10 years; be it further

Resolved, That a copy of this resolution be forwarded to all Members of the House of Representatives and the Senate of the United States, with a request for an early pronouncement of their position on this issue.

PROTEST AGAINST GRANTING OF GOV- ERNMENT LOANS TO FOREIGN COUN- TRIES

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the Record a resolution adopted by the Veterans of Foreign Wars of the United States, through its national legislative committee, meeting in Washington, D. C., January 14, 15, and 16, 1946, protesting against the granting of Government loans to foreign governments or the advancement in the future of any money to any foreign agency or government, and requesting that the national legislative representative of that organization be authorized and directed to represent such action before congressional committees.

There being no objection, the resolution was received, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

Whereas the United States State Department has entered into an agreement with a foreign government for a Government loan in the amount of about \$4,000,000,000, requiring the future approval of Congress; and

Whereas other foreign countries already have or are making approaches to this Government for loans which will aggregate \$30,000,000,000 or more; and

Whereas the debt of the Federal Government as a result of the recent conflict approximates \$300,000,000,000, a staggering indebtedness under any circumstances; and

Whereas the loan presently negotiated and awaiting congressional approval is at a rate of 2 percent, but actually, as a result of the 5 years' grace, approximates a rate of 1.62 percent, and the Federal Government average rate on War bonds and Victory bonds is approximately 1.32 percent; and

Whereas it has been said by most economists, and as has been well said by many statesmen, "that if this country can maintain full employment and a standard of living higher than that of any other country [the American standard of living and way of life] only by perpetually having a large surplus of exports over imports, then it will be impossible for any foreign country receiving such a loan to repay same"; and

Whereas statesmen of the country now favored by the loan agreement advance one set of expressions for home consumption and another for consumption in the United States—the former along this line: That "the loan is a prelude to further mutual advantageous arrangements and that the Empire and this country's activities can be integrated to insure for ourselves [the borrowing country] and the whole world a long period of prosperity and peace"; and

Whereas attention is called in the above respect to the attitude of this borrowing country regarding overseas and international aviation respecting the dictation of fares for aerial transportation and its recent unilateral action, secretly applied, of imposing 21 points of submission on the independent country

of Siam, most of which covered trade preferences and exclusive aviation rights; and

Whereas experience of the Government as a loaner of money to foreign governments, over the years, unfortunately demonstrates that we become disliked and accused of many things; lack culture, are behind the times and our religious perception woefully antiquated and as on former occasions we will be called Uncle Shylock and many other unkind names; and

Whereas in the light of the future financial needs of and rehabilitation of our veterans and service men and women, and the welfare of our country and its citizens, our economy now is burdened beyond the breaking point, in the matter of Government debt; and

Whereas it was never envisioned in this or any other country's fiscal set-up, to become a government banker, for other countries good or bad, and is foreign to our country's policy and inimical to its welfare and status of respect in the family of nations; and

Whereas in the light of the economic principal involved, that to be able to repay any loan granted a foreign country, it would be necessary for such foreign country to export to the United States goods and services in excess of the value of those imported from the United States, in other words a balance of trade against our labors and industry; how would labor and industry like that? (We veterans also are greatly concerned.) And to meet just such a situation and circumstance, the borrowing country has seen to it that there is in the agreement an escape clause which permits the borrower to put off interest payments in any year in which it has insufficient dollar balances. How frequently will this occur do you think? And if you are not a dodo, what do you need to happen or be told you, not to know from the above that this Government loan if granted will, as in the past, never be repaid by such Government, and they have set up the proviso, which will be its answer whenever the default occurs; and

Whereas your attention is called to the reply courteous given our country by the present borrower when we as customarily present the bill for debts due—in June 1938. The borrower's Ambassador presented the following note June 14, 1938:

"I am directed to express the appreciation of His Majesty's Government of the assurance of the Government of the United States is fully disposed to discuss any proposal which His Majesty's Government may desire to put forward in regard to the payment of this indebtedness. . . . His Majesty's Government will be willing to reopen discussions on the subject whenever circumstances are such as to warrant the hope that a satisfactory result might be reached."

Can't you just visualize the nature of the answer 10 or 20 years hence if another loan is granted and another bill therefor is received; and

Whereas notwithstanding the propaganda that will be spread nationally seeking to arouse public favor for the granting of this first proposed loan in the year 1946, it, and any others, is against the best interest and welfare of our country and its citizens: Now, therefore, be it

Resolved, That the Veterans of Foreign Wars of the United States, through its national legislative committee, meeting in Washington, D. C., this 14th, 15th, and 16th of January 1946, memorializes the Congress of the United States to oppose and refuse the granting of Government loans to foreign governments or the advancements in the future to any foreign agency or government of any money, or grant of funds for any reason or purpose whatsoever by this Government from any Government source, and that the national legislative representatives be authorized and directed to represent such action

before congressional committees handling such legislation.

That such loans from private sources or advancements for relief or otherwise by public appeal is suggested as the proper procedure.

REPORTS OF A COMMITTEE

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 3580. A bill to authorize municipalities and public utility districts in the Territory of Alaska to issue revenue bonds for public-works purposes (Rept. No. 910);

H. R. 3614. A bill to ratify and confirm act 33 of the Session Laws of Hawaii, 1945, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945 (Rept. No. 911); and

H. R. 3657. A bill to ratify and confirm act 32 of the Session Laws of Hawaii, 1945 (Rept. No. 912).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAPPER:

S. 1780. A bill to provide for the appointment of public defenders in the district courts of the United States; to the Committee on the Judiciary.

(Mr. GOSSETT (for himself, Mr. CARVILLE, Mr. CHAVEZ, Mr. JOHNSON of Colorado, Mr. ROBERTSON, Mr. McFARLAND, Mr. MITCHELL, and Mr. MORSE), introduced Senate bill 1781, to authorize the establishment of field stations in the Bureau of Mines for the purpose of reestablishing the mineral resources in the United States, which was referred to the Committee on Mines and Mining and appears under a separate heading.)

(Mr. LANGER introduced Senate bill S. 1782, to provide for loans to individuals for the purpose of enabling them to obtain a college or university education, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

(Mr. McCARRAN introduced Senate bill 1783, to amend the District of Columbia Teachers' Salary Act of 1945, as amended, to provide for increases in the salaries of certain teachers, and for other purposes; which was referred to the Committee on the District of Columbia, and appears under a separate heading.)

(Mr. BARKLEY introduced Senate Joint Resolution 138, to implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

NEW MINERAL DEPOSITS

Mr. GOSSETT. Mr. President, I was requested by the Senator from Nevada [Mr. CARVILLE] to introduce a bill to

authorize the establishment of field stations in the Bureau of Mines for the purpose of reestablishing the mineral resources of the United States. On behalf of myself, the Senator from Nevada [Mr. CARVILLE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Colorado [Mr. JOHNSON], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Arizona [Mr. McFARLAND], the Senator from Washington [Mr. MITCHELL], and the Senator from Oregon [Mr. MORSE], I now ask unanimous consent to introduce the bill and that it be referred to the Committee on Mines and Mining.

There being no objection, the bill (S. 1781) to authorize the establishment of field stations of the Bureau of Mines for the purpose of reestablishing the mineral reserves of the United States and to provide for research and instruction in methods of discovering new mineral deposits, and for other purposes, was received, read twice by its title, and referred to the Committee on Mines and Mining.

LOANS TO INDIVIDUALS TO OBTAIN COLLEGE OR UNIVERSITY EDUCATION

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to provide for loans to individuals for the purpose of enabling them to obtain a college or university education; and I request that it be printed in full at this point in the RECORD.

There being no objection, the bill (S. 1782) to provide for loans to individuals for the purpose of enabling them to obtain a college or university education was received, read twice by its title, referred to the Committee on Education and Labor, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Commissioner of Education (hereinafter referred to as the "Commissioner") is authorized and directed to make loans, as provided in this act from the fund established pursuant to section 5, to individuals desiring to obtain vocational, technical, academic, or professional education beyond the high-school level.

SEC. 2. (a) Any person who is a citizen of the United States, and who has successfully completed a high-school course, or its equivalent, shall, upon application therefor approved by the Commissioner, be eligible for a loan under this act in an amount not to exceed \$500.

(b) An application for a loan under this act shall be in such form and contain such information as may be prescribed by the Commissioner and shall contain (1) a statement by the applicant that he has not theretofore received a loan under this act; (2) a statement of the course of study or training proposed to be undertaken by the applicant; (3) a statement by the applicant that the loan applied for is necessary to such undertaking, and that, if granted, the proceeds thereof will be used to defray the costs of tuition, fees, books, supplies, board, lodging, and other necessary expenses incident to such study or training; and (4) a certification by an educational or training institution that it has found the applicant qualified for such course of study and that it is willing to admit him for such purpose.

SEC. 3. Such loans shall be made without security, except that the borrower shall execute a promissory note payable to the United States. Such note shall mature 15 years after the date of the loan, and shall bear interest at the rate of 1 percent per annum. If the applicant is a minor, such

note shall bear the endorsement of his parent or guardian.

Sec. 4. No loan shall be made to any person for any period during which he is receiving education or training under title II of the Servicemen's Readjustment Act of 1944.

Sec. 5. There is hereby authorized to be appropriated the sum of \$3,000,000,000, which shall constitute a revolving fund to be available for the purpose of making loans under this act.

Sec. 6. (a) The Commissioner is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this act.

(b) Nothing in this act shall be construed to authorize the Commissioner to exercise any influence upon the choice by an applicant for a loan under this act of a course of training or study or of the educational or training institution at which such course is to be pursued, or to authorize the Commissioner to exercise any supervision or control over any such institution.

(c) The provisions of this act shall be administered without discrimination against any person on account of his race, color, or creed.

AMENDMENT OF DISTRICT OF COLUMBIA TEACHERS' SALARY ACT OF 1945

Mr. McCARRAN. Mr. President, I ask unanimous consent to introduce a bill to amend the District of Columbia Teachers' Salary Act of 1945, as amended, to provide for increases in the salaries of certain teachers, and for other purposes, and request that it be referred to the Committee on the District of Columbia.

There being no objection, the bill (S. 1783) to amend the District of Columbia Teachers' Salary Act of 1945, as amended, to provide for increases in the salaries of certain teachers, and for other purposes, was received, read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENT TO REVENUE BILL OF 1946

Mr. BUTLER submitted an amendment intended to be proposed by him to the revenue bill for 1946, which was referred to the Committee on Finance, and ordered to be printed.

HOUSE BILL REFERRED

The bill (H. R. 5158) reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

THE ISSUES OF THE DAY—ADDRESS BY SENATOR KILGORE

[Mr. McFARLAND asked and obtained leave to have printed in the RECORD an address delivered by Senator KILGORE before the United Labor Committee for Political Action at Minneapolis, Minn., on January 10, 1946, which appears in the Appendix.]

THE PROPOSED LOAN TO GREAT BRITAIN—ADDRESS BY SENATOR BROOKS

[Mr. WHERRY asked and obtained leave to have printed in the RECORD an address entitled "Should Congress Approve the Proposed Loan to Britain?" delivered by Senator Brooks before the Illinois Manufacturers Association at Chicago, Ill., January 15, 1946, which appears in the Appendix.]

THE SCHUYLKILL RIVER RESTORATION PROGRAM—ADDRESS BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD an address entitled "The Schuylkill River Restoration Pro-

gram," delivered by him at a meeting of the Interstate Commission on the Delaware River Basin, held at Philadelphia, Pa., on January 25, 1946, which appears in the Appendix.]

LOOPHOLES IN ELECTION LAWS—ARTICLE BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "Loopholes in Election Laws," written by him and published in the February 1946 issue of Nation's Business, which appears in the Appendix.]

THE DECISIVE ISSUES OF 1946—ADDRESS BY SENATOR KILGORE

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address entitled "The Decisive Issues of 1946," delivered by Senator KILGORE on the program Congress Speaks, on January 15, 1946, which appears in the Appendix.]

THE NEED FOR HOUSING FACILITIES AND HOUSING SUPPLIES

[Mr. MEAD asked and obtained leave to have printed in the RECORD a release relating to the need for housing facilities and housing supplies in the United States, issued by the Chamber of Commerce of the United States on January 25, 1946, which appears in the Appendix.]

DEVELOPMENT OF THE REA PROGRAM IN NEBRASKA—ADDRESS BY CLAUDE R. WICKARD

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address entitled "Development of the REA Program in Nebraska," delivered by Claude R. Wickard, Administrator of the Rural Electrification Administration, before a meeting of the Nebraska Association of Rural Power Districts, at Columbus, Nebr., on January 25, 1946, which appears in the Appendix.]

ADDRESS BY HARRY W. BASHORE BEFORE NEBRASKA RECLAMATION ASSOCIATION

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address delivered by Harry W. Bashore, former Commissioner of the Bureau of Reclamation, Department of the Interior, before the Nebraska Reclamation Association, at Lincoln, Nebr., on January 28, 1946, which appears in the Appendix.]

HOW WE CAN MAKE JOBS FOR MILLIONS—ARTICLE BY J. A. KRUG

[Mr. McCARRAN asked and obtained leave to have printed in the RECORD an article entitled "How We Can Make Jobs for Millions," written by J. A. Krug, former Chairman of the War Production Board, and published in the American magazine for January 1946, which appears in the Appendix.]

BIRTHDAY OF THE LATE PRESIDENT ROOSEVELT—POEM BY GEORGE W. WARD

[Mr. JOHNSTON of South Carolina asked and obtained leave to have printed in the RECORD a poem written by George W. Ward, which appears in the Appendix.]

GOVERNMENT CONTROL OF PRICES

The PRESIDENT pro tempore. The Senator from Mississippi [Mr. BILBO] has the floor.

Mr. WHERRY. Mr. President, will the Senator from Mississippi yield to me?

Mr. BILBO. I yield.

Mr. WHERRY. Mr. President, I should like to say that the first remarks I made on the floor of the Senate after taking the oath of office had to do with the need of obtaining maximum production of meat. Soon after I was appointed a member of the Small Business Committee. While serving on that committee the committee

has held scores of hearings having to do with establishing prices which would bring about maximum production. In some instances prices have been raised vertically. In some cases subsidies have been paid, such as the one designed to bring about an increase in the production of milk. But along the line there have been some increases in prices.

At this moment much sentiment seems to be developing throughout the country on the part of merchants, producers, and labor that, in order to increase employment, our pricing system should be made flexible, and that prices should be made sufficiently high to obtain increased production.

I know Members of the Senate are anxious to learn the source of a statement which was made in the press recently, relative to the production of broadcloth shirts. The situation originated in an executive session of the Small Business Committee held during the holiday period. At that time the representative of a shirt company appeared before me in executive session. I was asked not to give the name of the company, so I withhold the name. The name, however, has been printed in the press. The witness told us that if his company could be given a flexible pricing program it would be able to produce and deliver shirts to the consumer. We asked why shirt companies could not do so now. We were told that shirt companies could not, under what is called MAP—which means maximum average price—produce shirts at the current cost level.

The representative of the company was asked, "Do you have on hand now any shirts already manufactured that you can deliver?" That question was asked because at every turn of the road we find discharged servicemen who want to buy suits of clothes and broadcloth shirts. It was then revealed that this particular company had on hand today in their own warehouse 35,000 dozen broadcloth shirts and 15,000 dozen pairs of shorts. We asked, "Why can you not deliver these shirts and shorts?" The answer was, "Because we cannot deliver them at less than cost. If we go any higher than MAP, we are subject to suit for violation of regulations and the payment of damages." The question was asked, "How much would you have to increase the price to free these shirts?"

Mr. President, I shall give the figures. By the way, I may say that the price for that particular shirt was \$2.24 retail, which may enable the Members of the Senate to know what brand of shirt I am talking about. Without any increase at all in price, in February the company can deliver only 5 percent because of MAP—maximum average price. If the company were to increase the wholesale price of the shirt only 10 percent, the company could distribute 35 percent of those shirts without losing money. If the company were permitted to increase the wholesale price 20 percent—and 20 percent on this particular brand of shirt would be 44 cents, so the consumer could buy it for \$2.68—the company would be able to deliver 80 percent of that stock of 35,000 dozen shirts now stored in its warehouse. If the wholesale price of that shirt were raised 30 percent, the

company would be able to deliver all the shirts it now has in its warehouse and go on a 100-percent production basis.

Mr. President, I think this is the first time those figures have been placed before the Senate. I submit that in view of those figures we should reflect upon the question of a flexible price program in the extension of the act. We could have all 35,000 dozen broadcloth shirts which are now in the warehouse brought out and sold to returned servicemen and to civilian consumers if an increase of 30 percent were permitted in the wholesale price of the shirt. Eighty percent of them could be brought out for sale if an increase of 20 percent in the wholesale price were permitted; 35 percent if an increase in the wholesale price of 10 percent were permitted, and the maximum increase in cost to the consumer would be 48 cents a shirt throughout the country.

A visit to the clothing stores will disclose that no broadcloth shirts are for sale. One can buy long pointed-collar sport shirts which sell for \$8 or \$9 apiece, which cannot be worn to work. Such shirts will not serve to meet the needs of the majority of people. What we need to do, if OPA is to be extended, is to adopt a flexible price program which will permit the production which is now so badly needed. This shirt example is one of the best I can present to the Senate. It is convincing evidence that where a choice must be made between production and price, it should be made in favor of production. Maximum production is the only weapon that can be successfully used to whip inflation.

Mr. President, I call attention to one more matter. I have in my hand an article published in this morning's newspaper, which I have not as yet had opportunity to verify. It is an AP dispatch, dated Detroit, January 30, relating to the Ford Motor Co. I read:

Henry Ford 2d, president of the Ford Motor Co., today told Federal officials he was "convinced that if Government control of prices is removed promptly, management and labor will settle their differences without running to the Government."

The article states that the Ford Motor Co. is losing \$300 on every car it now makes for civilian consumption.

The newspaper article has not been authenticated, and I simply read it for what it is worth. The Associated Press is reliable. The article again brings to the attention of the people of this country that if we are to whip inflation we must obtain production. The only way to whip inflation is by increased production. Here we have two outstanding examples of what results from the present OPA policy. I wanted to cite them in support of a program I have been working for since I came to the United States Senate.

Mr. WILEY. Mr. President, I wish to say a few words dealing with the same subject discussed by the Senator from Nebraska [Mr. WHERRY].

I think if we are to extend OPA we shall have to lay down definite directives in relation to procedure. In the OPA there are too many square pegs in round holes, who do not appreciate what the Senator from Nebraska has said so clearly, namely, that unless we get production we shall have inflation; and if we

have inflation the American dollar will be depreciated in the same manner that European currencies have been depreciated.

The Senator from Nebraska spoke of Henry Ford 2d. Today I received a copy of a telegram which Mr. Ford sent to Mr. John W. Snyder, Director of the Office of War Mobilization and Reconversion. In a moment I shall read it into the RECORD.

Mr. President, the situation in relation to OPA is that apparently men have become hog-tied to the letter of a directive. They fail to see the need of the country for production—production of everything. Do they want inflation? They will get it with a vengeance, if we do not get production.

One instance was brought to my attention the other day in connection with enforcement. An official of OPA went into a store and ascertained that oranges the skins of which had contracted over a period of time weighed less than they weighed when they were full of moisture. He found that the weight of the oranges had decreased, with the result that the person selling the oranges, according to the OPA official, had charged 2 cents more than he should. Instead of counseling with the storekeeper, instead of advising him, instead of doing that which government was brought into existence to do, namely, to assist the individual, this official went through the books of the storekeeper for a period of 18 months, assumed that all oranges had been sold on that basis, and fined the storekeeper \$700. That is only one instance of persecution.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. WILEY. I shall be glad to yield in a moment.

Let me cite another illustration. In the fall of 1941 a certain factory in my State entered into the production of commodities needed by the citizens of this country, but the production had been in progress only 3 months when the war came on. The entire factory was turned over to the Government for the manufacture of war materials. When the war was over and the company resumed the manufacture of articles which were needed by American citizens, production was limited to the amount which had been produced in the 3 months of 1941.

Mr. President, this is a common occurrence. The situation is a scandal. We cannot even obtain socks. The other day my wife went down town to buy a pair of socks for me. She found that the socks offered for sale were brought in from South America. My son, who has just returned from South America, where he had been for 3 years, stated that the socks were not made in South America, but were imported from England. The price of the socks was \$1.65.

A news article indicates that men's shirts can be sold abroad but not in America. Why? Because OPA cannot see the way to take care of American needs.

We are not only failing to get production of needed consumers goods, but we are also getting unemployment. Men are thrown out of work in my State by

the hundreds. Why? Because of lack of vision by public officials, who are blind to the effect of their actions.

America, which has productive capacity, manpower, money, machinery, and demand, cannot get into production because of the dumbbells in OPA.

Earlier in my remarks I referred to a telegram from Mr. Henry Ford 2d to John W. Snyder, Director of the Office of War Mobilization and Reconversion. Henry Ford 2d is one of the big men of this country. He is young in years, but he and his ancestors have a background of production for building the economic health of this country. This is what Henry Ford 2d telegraphed to Mr. Snyder:

Our part of the job of reconversion is mass production of cars and trucks, and we have tried to do everything within our power since VJ-day to get into maximum production as quickly as possible. We have not succeeded. However, this has in no way been the fault of our employees. We have had no strikes since VJ-day.

Time and again we have been forced to shut down operations because suppliers could not get us parts and materials for our cars and trucks. Some of them have stopped making our parts because they lost money at their ceiling prices. Some are slowed down in their production by strikes or are losing their employees because they cannot raise wages. Some cannot now get steel.

Unless steel can be made available to us and to our suppliers promptly we will have to shut down completely sometime this week.

All of this is very costly—aside from the hardships it causes to our employees who want to work but cannot be assured of steady jobs.

It costs \$400,000 a day to maintain idle assembly lines. At current OPA price ceilings we are currently losing about \$300 on every car we make. Last week we agreed with UAW-CIO on a wage increase of 18 cents an hour for all UAW employees. Yesterday we gave a 15-percent increase to all salaried employees and all hourly rate employees not in UAW. These two increases will add more than \$40,000,000 to our annual pay roll.

We have done—and will continue to do—the best we can with our own affairs. We think the risks we have taken are justified because we have faith in the future of America.

God bless him for that statement: "We have faith in the future of America." His company is assuming an additional load of \$40,000,000, and yet he has faith in America. The reason he is doing what he is doing is that he has faith. We all must have faith, but OPA needs to take the blinders off.

Let us remove some of the clutch holds that men like Bowles and others who do not comprehend the problem have upon our economy. Let us remove the clutch holds from business and get into production. The night before last I spoke in a Nation-wide radio hook-up on the subject of production as the most crucial issue of 1946. Without it we go down. With it we go up.

I continue to read from Mr. Ford's telegram:

But American businesses, large and small, are dependent upon each other, and we are now blocked by circumstances entirely outside our own business—circumstances which, in our opinion, only national action can remedy.

To my mind you cannot have a freely competitive mass-production industry with even

just a little Government price control. When you fix prices, you control every production operation. Fixing the price of a casting made in an Alabama foundry may mean forcing a wheel manufacturer in Ohio out of business and stopping an automobile assembly line in Detroit.

Nobody wants run-away inflation, but if we continue to stifle American industry's ability to produce, that is exactly, in my opinion, what we are heading for. Inflation exists when there are too few products for people to buy with the money they have. Inflation grows out of scarcity.

I am not an economist. There may be sound reasons in the public interest for continuing price control on such things as rents and foods. But so far as motorcar manufacturers and their suppliers are concerned, I am now convinced that if Government control of prices is removed promptly, management and labor will settle their differences without running to Government—where price fixing is now forcing them to go. Americans will soon be able to get the products they are eager and able to buy. And we will in a very short time be back to the kind of operation that Americans like best—finding ways to make money by beating competition to market with something better and cheaper.

Whether or not you agree with these views, I want you to know that if we can have promptly an uninterrupted flow of materials, our employees can go back to steady jobs and help us to get to Americans the motorcars and trucks they are waiting for.

HENRY FORD 2d.

Mr. President, that telegram points the way to the OPA and to America, if we really wish to "go to town."

PLAN TO SEND GI FAMILIES OVERSEAS

Mr. LUCAS. Mr. President, will the Senator from Mississippi yield?

Mr. BILBO. I yield.

Mr. LUCAS. Mr. President, this morning my attention was directed to an article appearing in the Washington Post, which relates to a matter that I believe should be discussed on the floor of the Senate. It is entitled "Prop to Morale—GI Families To Go Overseas, Some at Government Expense."

Mr. President, I have had occasion to check the contents of the article with the War Department, and I find that in the main the statements made in the article are correct and I consider it most unfortunate. The article reads in part as follows:

The War Department yesterday placed a two-legged prop under sagging morale of troops overseas.

1. Dependents of those remaining in theaters of operation will be permitted to join them within a few months, subject to existence of accommodations and a somewhat complicated priority schedule.

2. Those looking forward to redeployment and discharge will be speeded on their way by reduction of training periods for replacements from 13 to 8 weeks. The replacement training period was recently cut to 13 weeks from 17.

Dependents of officers and enlisted men of the first three grades will be taken to overseas theaters by Government transportation. Families of men below the grade of staff sergeant are not barred from joining the men but must pay their own fares under existing law.

Mr. President, it is this last point I wish to discuss briefly. There has been much controversy in this country about the demobilization of our soldiers and sailors who served in the recent war. The subject has been frequently discussed

upon the floor of the Senate. I believe that every Senator and every patriot in this country wishes to encourage further demobilization of the men in the armed forces, so long as it is consistent with what is best for the interests of our country. Frankly, I was deeply impressed by the statement made by General Eisenhower some time ago before a meeting of the Members of Congress, in which he said that 1,600,000 more men had been demobilized by January 1 of this year than had been anticipated in September of last year when General Marshall made his statement. However, Mr. President, many mistakes have been made. Many a man has had to "sweat it out" somewhere, although perhaps he should have been home. But it was obvious that in the demobilization of 13,000,000 soldiers, errors and mistakes of great proportions might be made.

Mr. President, it now seems to me that if the Army is taking the position which it apparently does, according to the article to which I have referred, this position will not help the morale of our soldiers who are assigned to take care of distant areas; on the contrary, it will do just the opposite. I cannot understand why an officer or a high-rated sergeant should have travel expenses incurred by his family in traveling to a foreign land where our soldiers are doing occupational work, while at the same time a GI would be compelled to pay from his own pocket the travel expenses of his family. The same obviously is true of housing. In other words, the one who should receive help in connection with traveling allowances and housing is the one who, according to this article—and I understand it to be accurate—is to be denied such help.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HATCH. This morning I read the article to which the Senator from Illinois is referring, and I was impressed by the thought the Senator has just voiced: In short, that those who can least afford to pay the expenses are the ones who are to be required to pay. I do not understand such a ruling.

Mr. LUCAS. I agree with my distinguished colleague from New Mexico; I, too, cannot understand the ruling. If the Army believes that this kind of ruling will serve to boost the morale of the man who is now in the service or the man who we hope will volunteer for this type of duty, then I am constrained to say that in my opinion the Army will find that it is badly mistaken.

Mr. President, in view of this article, I believe the War Department should clarify the situation in some way. I take the position that the War Department should treat all servicemen alike; that under no circumstances can the War Department be justified in discriminating in behalf of the officer or the high-rated sergeant who is in a better financial position to take care of his wife and family if he wishes to have them cross the sea than is the GI who is serving on a private's or corporal's salary. The lower-paid serviceman is just as entitled to have his family by his side in an occupied area if he wishes to have them

there, as is an officer or a high-rated sergeant—perhaps more so.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HATCH. I merely wish to ask the Senator this question: If all the men cannot be treated alike and placed on the same basis, would it not be better to reverse the order and begin at the bottom rather than at the top?

Mr. LUCAS. Mr. President, if the soldiers cannot all be placed on the same basis, I agree with the Senator from New Mexico. In my opinion, they should be placed on the same basis. If it is desired to boost the morale of the serviceman who is upholding and defending the principles for which the war was fought, the discrimination which is indicated in the article from which I am reading cannot be practiced with the expectation of developing the kind of morale and interest which is so vital at this particular moment in the occupied countries of Japan and Germany. One needs only to read the newspapers and see what General MacArthur and General McNarney are saying, in order to ascertain that the morale of some of the soldiers is pretty low. Yet the Army comes forward with an order of this kind to which reference is made in the newspaper article. The order does not boost the morale, but, instead, it tears it down.

Mr. President, what man with a family would volunteer his services under a situation of this kind? The article states:

Travel of dependents overseas will begin "without delay" as soon as theater commanders indicate that they are prepared to receive them.

"Without delay." What a delusion these words must be to any soldier who reads them. The order would have just the opposite effect. When will a theater commander make a request that the wife of Pvt. John Jones, or the wife of Officer Bill Smith, be allowed to go overseas? In other words, it is up to General McNarney in Germany to decide when the wives or families of the men there will be allowed to go to Germany, but that time will not be reached until housing conditions in Germany are such that the soldier's family can be adequately and properly cared for. I do not object to that, Mr. President, because it will be necessary that housing conditions be adequate. What I object to is the issuance of this kind of an order. It has a tendency to deceive the servicemen who read it, and it will work only to their disadvantage, the disadvantage of the country, and the disadvantage of national security.

Mr. President, this is a matter which seems to me to be so important that I thought I should discuss it for a few minutes. One of the most important things now confronting this country is the solution of the demobilization problem to the end that the serviceman and the country at large will have confidence in the Army. It is quite important that that condition be reached if we expect to carry out the commitments and obligations which we have made in connection with the purposes for which we entered into the war.

So, Mr. President, I bring the matter to the attention of the Senate. I should like to have the Army clarify this subject at the earliest possible time, because of the importance which I attach to it. I am glad to know that my good friend, the Senator from New Mexico [Mr. HATCH] has reached a viewpoint with regard to the article similar to that which I have reached.

The article continues:

Families of military personnel already have been authorized to travel to the Bahamas, the Canal Zone, and islands of the Antilles, Brazil, Bermuda, Newfoundland, Alaska, Aleutian Islands, Hawaii, and the Marianas.

But again I repeat, it is only when the officer in command in a particular theater makes the request that the wives and families may be sent. Yet the article would lead one to believe that merely by making a request of the War Department a soldier's family will be on their way. The situation is not so simple.

I thank the Senator from Mississippi for yielding.

Mr. BILBO. I was glad to yield to the Senator.

THE NAVAL ATOMIC BOMB EXPERIMENT

Mr. LUCAS. Mr. President, I wish now to discuss one more subject, if my good friend the Senator from Mississippi will yield to me in order that I may do so. I do not wish to take too much of his time, because I know that he has a great speech on his chest. [Laughter.]

I am serious in what I say, because I have heard the Senator from Mississippi debate on previous occasions, and I have always been entertained by his speeches. Sometimes they are somewhat long, but nevertheless no one will challenge the fact that the Senator from Mississippi can talk.

Mr. BILBO. I shall be glad to give the Senator all the time he wishes to take, because what he will say may be a contribution to my cause.

Mr. LUCAS. I do not wish to help the Senator from Mississippi too much, but I appreciate his courtesy. [Laughter.]

Mr. President, as I have already said, there is one other subject which I wish to discuss for a moment. I do not know whether I may be treading on thin ice in doing so, but I inject it into the debate now taking place before the Senate for whatever it may be worth.

I have been intrigued by reading what our Government proposes to do with 96 ships, including battleships and destroyers, some of which we captured during the war, in connection with the experiment to be made with the atomic bomb at some future time in the Pacific. I presume that the plans with respect to that experiment have all been completed, and that there is nothing which anyone could do to stop the proposed destruction of those ships. I do not know how much value they may have. I presume that they have some value from the standpoint of salvage, at least. Perhaps I may be wrong, but I think that if one of them could be moved into the port of San Diego for example, where the housing shortage is serious at the present time, it could be used in meeting the

housing problems of some persons who reside in that district. Some of the remaining ships could be placed at different points along the Atlantic and Pacific coasts, and used to provide shelter for persons who cannot now find adequate housing facilities.

Mr. President, I recall that during the battle of Dunkerque every conceivable ship which could be found, even rowboats and skiffs, were used in order to make it possible for British soldiers to be returned to the British coast. I also recall that the late President Roosevelt sent to England approximately 50 old destroyers which had barnacles on their bottoms to such an extent that they could hardly move across the Atlantic, but they performed good service during the last war.

Mr. President, another thing which disturbs me is this: If we are to outlaw the use of the atomic bomb for military purposes, why should we be making plans to display atomic power as an instrument of destruction? I am sure that the people of the world witnessed enough spectacular display of instruments of warfare during the last war to last them for a long time. Yet, we continue to talk about atomic power, atomic bombs, and rockets which will go to the moon, and so forth. Perhaps it is proper to do so. But I wonder sometimes whether the planned display of atomic power to take place at a future time in the Pacific, is proper. I may be wrong in my views with regard to the matter. I am merely thinking more or less out loud. But the more I think about it, the more I am convinced we should stop, look, listen, hesitate, and pause before going through with this particular project.

I am thinking of another subject which may be of some interest to others besides myself. I may be speculating somewhat, but suppose the atomic bomb should prove to be only a fizzle in destroying the big ships which it is planned to use in connection with the experiment in the Pacific. I presume that perhaps the experts know exactly what will be done. I presume they have carefully figured it out, and know what the power of the atomic bomb will accomplish, what destruction will be wrought, and what will be done to the waters surrounding the point of the experiment, as well as to the land nearby. But suppose, Mr. President, the experiment should prove to be a dud. I undertake to say that in that event our claims of having destroyed Hiroshima will appear to have been greatly exaggerated. On the other hand, if it proves more terrible than anticipated, of what increased value would it represent to us in connection with our future participation in world affairs?

Mr. President, I toss this subject into the debate for whatever it may be worth. But it seems to me that the joint committee which is now handling this subject of atomic energy should give at least some consideration to the question of whether or not we should destroy all the ships it is now being planned to use in connection with the experiment to be held in the Pacific.

I thank the Senator from Mississippi for yielding to me.

Mr. BILBO. Mr. President, if I may ask the Senator a question, I desire to get clear in my own mind how many of our capital ships are supposed to be in the list of vessels which are to be used in the experiment?

Mr. LUCAS. I have not seen, I will say to the Senator, a break-down of those ships. I do not know how many battleships, destroyers, and cruisers are scheduled to go, and so I cannot give the Senator the exact figures. The only thing I have seen is the over-all picture in the press, which says that some 96 vessels, including some vessels captured from Japan, including two battleships, as I recall, and probably the German cruiser *Prinz Eugen*, which recently came across the Atlantic and put into the port of Boston.

Mr. BILBO. Is it the Senator's understanding that a part of our naval force is included in the list of vessels to be destroyed?

Mr. LUCAS. The major number of the 96 ships to be destroyed are ships that belong to the United States. It is said they are out of date, but some of them have recently been in service. I noticed the other day the battleship *Pennsylvania* was included. The *Pennsylvania* was the flagship of Admiral Kimmel when Pearl Harbor was attacked on December 7, 1941; what condition it is in today, I am not advised. I remember hearing that in the Pearl Harbor investigation.

Mr. BILBO. It might be best to destroy that memory.

Mr. LUCAS. I again thank the Senator for yielding.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. BILBO. If anyone wants to know just how bad this bill is, I suggest that if he will read these 12 objections stated by the Senator from North Carolina he will be more than convinced. I repeated in my remarks, for the sake of emphasis, the 12 objections stated by the Senator from North Carolina in the hope that some good newspaper that reaches a considerable number of the population of the country would publish the 12 objections.

Mr. President, there is one mistake I desire to correct. Evidently the press got the wrong idea, for I find, on examining the report made by the Committee on Education and Labor on this bill, that a misunderstanding has been brought about as to the real attitude of the late President Roosevelt on FEPC. It is true that the Republican Party wholeheartedly and all the way endorsed this foreign idea or concept, but in justice to the late President, I wish to say that he did not endorse the FEPC as proposed in the pending bill. The only endorsement he gave in the campaign of 1944 was to a Committee on Fair Employment Practice in hiring employees in war industries and in Government agencies. I doubt

whether it ever crossed the mind of President Roosevelt that he would reach out or thought about reaching out and letting FEPC cover the private enterprises of this Nation. That is the absurdity of the proposition. So long as the Government itself is paying the salaries of employees in the Government agencies and paying the salaries of those who are operating plants for the war effort, there might be some slight excuse for seeing that there is a complete utilization of all available labor, regardless of race, creed, color, national origin, or ancestry. But, so far as legislation that reaches out and covers the private enterprises of the Nation, private business, is concerned, it is so utterly foreign to our concept of Americanism and American constitutional government that I doubt whether it ever crossed President Roosevelt's mind. So I desire to clear any impression that may have gotten out from what I said yesterday charging President Roosevelt with endorsing any such alien ideology or concept of government as is embraced in the pending bill.

Now, Mr. President, I ask permission to have printed in the RECORD as a part of my remarks, without taking the time of the Senate to read it, a compilation of some facts concerning the Southern Conference for Human Welfare.

The PRESIDING OFFICER (Mr. THOMAS of Oklahoma in the chair). Without objection, the request of the Senator from Mississippi is granted.

The matter referred to is as follows:

The Communist-front Social Work Today magazine, in its June 1940 and May 1942 issues, praised the work of the SCHW.

An examination of the file of the Southern Patriot, official organ of the SCHW, discloses a very definite following of the Communist's Party-line and Communist Party ideology, plus support for the carrying out of the legislative program of the CIO. James A. Dombrowski has been its editor from the very beginning.

The Patriot is ably edited; cleverly, even insidiously, camouflaged, carrying with it the conviction to the superficial of sincerity, and a desire to ameliorate human conditions, painted as though prevailing only in the southern States of our great Nation. Mixed with it is an appeal to private enterprise for support because the Patriot has championed some measures which have borne their blessings in a concrete sense, such as the freight rates case under ICC rulings. In this the Patriot undoubtedly claims too much credit as its share in the eventual adjustment that has come about in this situation. The Patriot has maintained steadfastly that freight rates have kept the South in economic bondage.

Some of the accomplishments claimed by the Southern Patriot, as the result of its activities, are given officially as follows:

1. Mobilized over 6,000 progressive southern leaders to abolish the undemocratic poll tax.

2. Early in the present conflict cooperated in promoting a win-the-war conference in Raleigh, N. C., with representative leaders from all Southern States.

3. In Mississippi cooperated with leading citizens to secure the signatures of 75 outstanding white citizens to a statement in support of the Governor's efforts to bring mobsters to justice.

4. Initiated a statement signed by over 400 leading white citizens of Alabama protesting the attempt by reactionary forces to

make political capital from an appeal to racial and religious prejudices.

5. Through press releases and special bulletins helped to educate the southern electorate on important issues of a local, regional and national nature.

6. Publishes The Southern Patriot, a monthly magazine of news and opinion on southern trends, with an average circulation of about 10,000 and with special editions up to 30,000.

7. Cooperated with church, civic, and labor groups to initiate campaigns to qualify their membership to vote.

8. Held three biennial all-southern conferences (Birmingham 1938, Chattanooga 1940, Nashville 1942).

The Women's Society of Christian Service of the Methodist Church of nine southeastern States, according to The Patriot, aided in its campaign for the continuation of the FSA's program. Maintenance of an oversupply of cheap farm labor from the Bahamas was charged against southern agricultural interests by the SCHW. The TVA was styled as the "dynamo for the arsenal of democracy." Senator FULLER's resolution for internationalism was undeviatingly supported by the SCHW. Opposition to the alleged program of the National Cotton Council, fighting conversion of southern agriculture to food production, was constantly on the agenda of The Southern Patriot. The slogan for this was "Too much cotton—too little food." The National Cotton Council was charged with blocking the war effort.

The July 1943 issue of The Southern Patriot carried the voting record of southeastern Congressmen on the basis of pro-administration as against administration voting on eight measures. The August issue contained an unsigned article of trends by States, where southern workers could powerfully influence congressional elections. The September issue played up the illiteracy of the South in a story about the Army rejecting 750,000 draft-age youth. The December issue plumped for the Federal soldier vote bill, adopting the same line carried by the Daily Worker.

The January 1944 issue blamed the South for the Republican victory in Kentucky on the basis of appeasement of the poll-taxers in the Senate. Senator MEAD, of New York, was asked to lead the poll-tax fight, by the SCHW, and the Bilbo filibuster against the poll tax was condemned. The March issue reverted back to the Federal soldier-vote measure, with a cartoon aimed at Congressman RANKIN. Congressman SAM HOBBS was lampooned for H. R. 3690, captioned "an anti-labor bill." The April number contained a signed article by Mrs. Franklin Delano Roosevelt entitled, "What Will Happen to Women War Workers in Postwar America?" The same issue enthuses over David Lillenthal's leadership of the TVA. It also contained the announcement of the CIO-PAC's appointment of Dr. George S. Mitchell, Jr., as the southern director of its political activities. The May issue acclaims the Texas Supreme Court decision affirming the constitutional right of Negroes to vote in Texas primaries. This issue is studded with a whole page of signers from 13 Southern States, of a statement commending the Supreme Court's action. In the same issue an article by Helen Fuller eulogizes the liberalism of Senators CLAUDE PEPPER, of Florida, and LISTER HILL, of Alabama. The July issue devotes itself to the beginning of the campaign for the fourth term. This continues in the August issue, which also carries an article by the columnist Drew Pearson—labeled the "chronic liar" by President Roosevelt—under the title "Southern Revolt Against Roosevelt," headlined "Pearson Unmasks Instigators of Plot Against Roosevelt," in which Vance Muse of the Southern Committee To Uphold the Constitution, is the principal

villain. The September issue reprinted a column by Aubrey Williams, which appeared in the communistic National Union Farmer. This same issue reproduced John Beecher's poem, "White Foam Breaking," which originally appeared in the socialistic magazine, The New Republic. The October issue waxed enthusiastic over the "Southern Tory Democratic revolt against Roosevelt having been crushed." This issue carries a page exposé of so-called southern smear sheets, mentioning Senator LEE O'DANIEL's news and Peter Molyneaux's Southern Weekly. Likewise, Justice Hugo Black gets a page salute in this same issue. The November number devotes itself largely to a protest against the ouster of President Homer Price Rainey of the University of Texas. It also comes out squarely for the permanent Fair Employment Practice Committee, and speaks glowingly of the CIO's aid to small farmers in the South. The December issue devotes itself largely to exposing "the Christian American" and Vance Muse's campaign for so-called labor regulatory laws in the Southern States through the medium of a "right to work" amendment to State constitutions.

The January 1945 issue recounts a meeting at Atlanta, Ga., of the South's "outstanding editors and writers," presided over by Mark Etheridge, publisher of the Louisville Courier Journal, resolving against the restraining registration laws and practices in voting suffrage of the Southern States. This issue also salutes Secretary of State Cordell Hull. The February issue brings acclaim for Secretary Wallace's 60,000,000 jobs program. This issue salutes Gov. Ellis Arnall as champion of the New South, and covers the event of the SCHW's dinner at the Hotel Commodore, New York City, March 6, in honor of Mrs. Roosevelt. The March issue carries a lead article by John Hunt, editor of the South Carolina Federationist, entitled "Georgia Free Vote Move Spreads East and West." Elizabeth Allen, in this issue, argues for support of ratification of the Bretton Woods Agreement. This issue salutes Dr. Clark Foreman, the president of the SCHW, and Justice Hugo Black. The April issue covers the statements of southern liberals on the passing of the President, included among which were Senator Pepper, Aubrey Williams, George S. Mitchell, David E. Lillenthal, Virginius Dabney, and others—a glowing account of the philosophy of the President is interspersed. The May issue attempts to make a case that the South consists of poor people and poor health. "How sick is the South?"; "Percentage of draftees rejected"; "Infant and maternal mortality rates"; "Where our babies are born"; "State health expenditure per capita"; "The patient is improving"; "Some prescriptions"; "The cure is up to us"—are some of the headlines, accompanied by charts, in this issue. A special supplement devoted to Justice Black's record is a part of this issue.

The June issue reverts back to the freight-rate victory being a green light for industry in the South, in an article by Frank P. Graham, devoted to "a new, happier South," with a double-spread "Why the South needs Bretton Woods and reciprocal trade treaties." This issue salutes David E. Lillenthal. The July issue goes back to "What's wrong with southern industry," "Full employment," defending the Negro GI's; more on why the FEPC should be enacted, and a diatribe aimed at Congressman RANKIN. The August issue contains more on full employment as an essential to southern farmers; an attack on Senator BELLO, as un-Christian, diversified with some philosophy as to what the South needs in order to have prosperous farmers. The September issue has another chart of the voting record of southern Congressmen, this time on the plus-and-minus system, picked up from the Union for Democratic Action and given currency by the socialistic New Republic. The October issue

has southern Congressmen sabotaging reconversion, an article by Henry Wallace, and one by Dr. Benjamin E. Mays.

All issues of the Southern Patriot are illustrated with cartoons, charts, graphs, statistical data, book reviews and political trends. From these and the reading of the material, one has very little choice between the philosophy expounded therein and that which appears in the Communist official organ, the Daily Worker, and Marshall Field's PM.

The following records of the SCHW official family, including the executive board members, are illuminating as to left, liberal, progressive, Socialist-Communist activities and philosophy. There is naturally some repetition but this was eliminated insofar as it was possible, to save space, and not to confuse the record. The determination of classification, as given, is taken from unusually reliable sources, including confidential reports, government documents and in many instances the official literature of the organizations involved:

W. W. Alexander, member of the executive board of the SCHW. Vice president, Julius Rosenwald Foundation, North Carolina. Sponsor of the Council of Young Southerners. Member of the CIO-begotten National Citizens Political Action Committee. Sponsor of the National Committee to Abolish the Poll Tax. Vice chairman, American Council on Race Relations. Administrator, minority group service of Office of Production Management. Director, Commission on Interracial Cooperation. Member, American Youth Commission. National committeeman, Committee on Militarism in Education (opposed to military training in colleges). Sponsor of the Emergency Peace Campaign. In 1930 denounced prosecution of Communists under the Civil War Insurrection Law.

Mary McLeod Bethune (colored): Member of the executive board of the SCHW. Member of the National Citizens Political Action Committee (CIO). Sponsor of the Communist conceived and controlled American Committee for the Protection of Foreign Born. Member of the American League for Peace and Democracy, labeled by Attorney General Biddle as a Communist front organization. Vice chairman of Fight, official organ of the American League for Peace and Democracy, and also vice chairman of the official organ of the executive board of the American League for Peace and Democracy, known as the World for Peace and Democracy. Sponsor of the Committee of Women of the National Council of American-Soviet Friendship. Endorser of the American Youth Congress—Communist conceived and controlled. She signed the call for the fifth national convention of the American Youth Congress which met in New York, July 1-5, 1939. She was an active participant in bringing into being the American Youth for Democracy, successor to the Young Communist League. She was invited to appear before the Democratic National Committee, July 1944, by Robert Hannegan, as one, among others, representing the AYD. Affiliated with Coordinating Committee to Lift the Embargo (Spanish Civil War), a Communist front organization. Sponsor of Council of Young Southerners, youth section of SCHW. Sponsor of Daughters of the American Depression, also known as National Women's Conference on Unemployment. National convention of Daughters of American Depression, held in Washington, D. C., in 1940, was marked by stress placed on Communist line of the Stalin-Hitler pact, then in full effect. Sponsor of League of Young Southerners, youth division of SCHW. Had same administrative secretary and same executive secretary as Council of Young Southerners, and same sponsors, except John B. Thompson, who appears as a sponsor for the League but not of the Council. Thompson was head of the Communist-controlled American peace mobilization. Sponsor of National Commit-

tee to Abolish the Poll Tax, a Communist front organization that has received financial support from the Communist Party. Affiliated with National Council of American-Soviet Friendship, a Communist front organization and streamlined successor to old Friends of the Soviet Union. Sponsor of National Emergency Conference, a Communist front organization to oppose bills pending in Congress primarily affecting aliens. Member of board of sponsors of National Emergency Conference for Democratic Rights, one of the new series of Communist front groups set up after dissolution of the American League for Peace and Democracy. Affiliated with National Federation for Constitutional Liberties, one of the foremost Communist front organizations in the United States and subsidized by the Red-sustaining Robert Marshall Foundation and Sound View Foundation. Signer of petition to abolish the Dies committee. Affiliated with National Negro Congress and sent greetings to its second session. National Negro Congress is Communist organized and controlled, follows Communist line, and is specifically commended by Communist Party. President (1944) of the National Negro Women's Council, also known as National Council of Negro Women. This is another Communist front organization. Andley Moore, of its executive board, is a field organizer for New York State Communist Party. Affiliated with Negro People's Committee to Aid Spanish Democracy, another Communist front propaganda group set up to aid so-called Spanish Loyalists—the Communist-supported left. Was director of the division of Negro affairs for the now defunct National Youth Administration. A vice chairman, one of two from South at large, in 1933-39 for SCHW. In addition, there were 13 vice chairmen, 1 for each of 13 Southern States. Speaker before SCHW meeting in Nashville, Tenn., on April 19, 1942; listed as president of Bethune-Cookman College, Florida. Affiliated with Southern Negro Youth Congress, in effect, the youth division of the National Negro Congress. (See preceding notation thereon.) One of sponsors of testimonial dinner to Ferdinand C. Smith, colored, alien Communist, secretary of Communist-dominated National Maritime Union. She said the NMU "has meant much in the development of my people." Affiliated with United Front for Herndon, an adjunct of Communist-controlled International Labor Defense, formed to win freedom of Angelo Herndon, Negro Communist, convicted of sedition. Affiliated with Washington, D. C. Committee for Democratic Action, the District of Columbia branch of the National Federation for Constitutional Liberties, already noted. Attorney General Biddle, in a memorandum to Government department heads, branded the Washington Committee for Democratic Action as under Communist control. Sponsor of conference on civil rights, held under auspices of Washington Committee for Democratic Action. Member of American Round Table on India, a Communist front organization. Sponsor of Chicago committee of Spanish refugee relief campaign, another Communist-dominated movement to support left-wing forces in exile from Spain. Member of national board of national sharecroppers' fund, which supports the annual National Sharecroppers Week event in behalf of southern tenant farmers, based on Communist Party program.

Charlotte Hawkins Brown (colored): Member of the executive board of the SCHW. Sponsor of American Youth for Democracy, successor to Young Communist League. Member of Council on African Affairs, headed by Paul Robeson—set up to promote Moscow's program for Africa. Signed petition to abolish Dies committee. Endorser of Communist-conceived and controlled National Negro Congress. Signed open letter to Governor Dewey of New York for pardon of

Morris U. Schappes, formerly of faculty of College of City of New York, an admitted Communist, convicted of perjury in re Rapp-Coudert committee investigation.

Born Henderson, N. C., 1882. Member, Federal Council of Churches. Founder of Palmer Memorial Institute, Sedalia, N. C. On national board of YWCA.

Louis Burnham (colored): Member of executive board of SCHW. Member of National Committee of International Labor Defense, Communist-conceived, organized and controlled committee for legal defense of Communists and sympathizers. Sponsor of Negro Youth Act Now For Victory—formed to secure immediate freedom of Priv. Richard Adams, John Walter Bordenave, and Lawrence Mitchell, sentenced to death on framed-up charges in Louisiana; for the indictment of lynchers of Willie Vinson in Texas; for suppression of the white supremacy movement; for passage of anti-poll-tax bill by Congress. As an Alabama sponsor is listed as organizational secretary, Southern Negro Youth Congress. Signer of petition to abolish Dies committee. Provisional secretary of Association of Young Writers and Artists, affiliated with Southern Negro Youth Congress, to encourage Negro artists. Sponsor of Emergency Peace Mobilization, Communist-inspired and controlled. Sponsor of United American-Spanish Aid Committee, a Communist-front organization. Sent congratulatory telegram to Earl Browder on the latter's release from Federal prison by Presidential clemency. Browder was then general secretary and active leader of Communists in United States of America. Delegate to and scheduled speaker before Youth for Victory Conference in Mexico City, Communist-inspired and controlled.

Judge Louise O. Charlton: Member of the board of SCHW. Sponsor of council of Young Southerners, youth section of SCHW. Its personnel in important posts interlocks with Communist-front organizations seeking to attract youth. Sponsor of League of Young Southerners, obviously same as council just noted. Both organizations have same executive secretary, administrative secretary, and same sponsors, except that John B. Thompson, head of the Communist-controlled American Peace Mobilization, appears as sponsor of league but not of council. Signer of petition to abolish the Dies committee and listed thereon as honorary president of SCHW. General chairman (1933) of SCHW and as such solicited active work on committees, etc., at Birmingham, Ala., conference of November 20-23, 1938. Later listed as one of the two honorary chairmen of SCHW. Consultant of organization and listed as United States commissioner at Birmingham, Ala. Also as general chairman of conference and described in organization's official report as United States commission and member of the State Democratic executive committee. One of the honorary presidents of SCHW.

Paul R. Christopher: A vice president of SCHW. Signed of petition to abolish Dies committee. Tennessee regional director, CIO, Knoxville. Consultant (1 of 27) of SCHW. Executive secretary-treasurer, Tennessee State Industrial Union Council. Active with other CIO delegates in Washington, D. C., in October 1945 in soliciting support of southern Congressmen for Murray-Wagner-Patman full employment bill for increase in unemployment compensation to \$25 for 26 weeks, and for establishing 65 cents per hour as minimum wage. Was accompanied on his rounds on this work by Congressman LUTHER PATRICK (Inside Washington, column by Bascom N. Timmons, Chicago Sun, October 17, 1945). Helped formulate policy and school term of CIO school at Highlander Folk School, Monteagle, Tenn., sponsored by southern regional directors of CIO to teach CIO members in methods and history of CIO. School term was 1 month of in-

tensive training and Christopher was one of teachers.

Dr. Rufus E. Clement: Member of executive board of SCHW. President, Atlanta University. Signer of petition sponsored by American Committee for Democracy and Intellectual Freedom, a Communist-front organization, to discontinue Dies committee. Signer of "Statement to the American People," prepared and circulated by the Communist-organized and controlled American Committee for Protection of Foreign-Born, endorsing campaign to facilitate and encourage naturalization of aliens. Sponsor of Fifth National Conference of American Committee for Protection of Foreign-Born, Communist inspired, organized, and controlled. Sponsor of American Committee to Save Refugees, Communist-front organization to protect foreign Communist operatives and spread Communist forces through financial, legal, and other assistance. Signer of Open Letter to the President of the United States, issued by the Communist-front American Council on Soviet Relations, urging a declaration of war on Finland in the interests of victory of United Nations over Nazi Germany and its Fascist allies. Sponsor of National Committee to Abolish the Poll Tax. This committee has received financial support from the Communist Party. One of 13 "consultants" for Citizenship and Civil Liberties Panel at SCHW Conference. On national advisory committee of Communist-inspired League for Human Rights, Freedom, and Democracy. On national committee of Committee for a Jewish Army—Zionist Palestine defense organization. Signer of Textbook Commission pledge against anti-Semitism, issued by religious-leftist group through "Protestant Digest."

William E. Cole: Member of executive board of SCHW. Sponsor of Council of Young Southerners, youth section of SCHW. Its important personnel interlocks with Communist-front organizations driving to draw youth into movement. Sponsor of League of Young Southerners, identical with council, just noted, as to executive secretary, administrative secretary and sponsors, except that John B. Thompson, head of the notoriously Communist-controlled American Peace Mobilization, appears as sponsor of the league but not of the council.

Tarleton Collier: Member of executive board of SCHW. Newspaper columnist; served for years on staff of the Atlanta Georgian; author of *Fire in the Sky*, a novel about the rural South. Connected with Farm Security Administration in Alabama, Georgia, South Carolina, and Florida. Author of *An Acre for a Soldier*, article in the *New Republic*, August 24, 1942.

John P. Davis (colored): Member of executive board of SCHW. Identified by William Odell Nowel, a former leading Negro Communist of Detroit, as Communist Party whip in National Negro Congress, of which he is executive secretary. Member of delegation sent by Abolish Peonage Committee, a subsidiary of the Communist International Labor Defense, to see Asst. Atty. Gen. O. J. Rogge in effort to force investigation of alleged peonage conditions in Oglethorpe County, Ga. Sponsor of All-Harlem Youth Conference, a Communist front. Sponsor of China Aid Council of the notorious Communist American League for Peace and Democracy. Member of National Committee of American League for Peace and Democracy. Endorser of congress of organizations to unite forces against United States entry into war—this was in the days when Hitler-Stalin pact was in effect—and to defend democracy and peace. The congress was called and sponsored by American League for Peace and Democracy. Member of National Council of American Peace Mobilization, another notoriously Communist organized and controlled group. Sponsor of call of Ameri-

can Peace Mobilization's Working Conference for Peace for American People's Meeting. Signed petition for immediate freedom of Earl Browder, Communist leader convicted for passport frauds. Eulogized by Joseph Starobin in Communist *New Masses* for May 6, 1941, as one of Negro leaders championing "a real national unity which terrifies southern reactionaries," etc. Signed call for Congress of Youth, being the fifth American Youth Congress, universally recognized as under complete Communist control. Signed statement urging President and Congress to defend the political right of the Communist Party and oppose legislation to ban or cripple it. This was at time when strikes were sweeping country, including one at California plant of North American Aviation, for which Attorney General said Communists were responsible. Speaker at Conference on Constitutional Liberties in America that launched Communist organized and controlled National Federation for Constitutional Liberties, listed as subversive by Attorney General Biddle. Member of Coordinating Committee to Lift the Embargo, a Communist front to aid Communists in Spanish civil war. Listed in lawyers group. Member of Greater New York Emergency Conference on Inalienable Rights, which interlocked with long list of Communist organizations. This was during time Hitler-Stalin pact was operative. Member of International Juridical Association, a front built around a substantial nucleus of avowed Communist and interlocking with many Communist organizations. Davis was on its national committee. Member, legal advisory committee of International Labor Defense, legal defense arm of Communist organization. Also on its national committee. At its 1939 meeting he said that no Negro would be shot down by police in Washington, D. C., that day, but that 2 years earlier one was shot down every 3 months. He said International Labor Defense had taught Negroes "the technique of mass pressure." Signed cable of Joint Committee for Defense of Brazilian People, a Communist-front organization, on behalf of Arthur Ewert, former Communist member of German Reichstag and a representative of Communist International (Comintern). Member, Lawyers' Committee on American Relations with Spain, a Communist-front organization to aid Communist-line followers in Spanish civil war. Speaker before Michigan Civil Right Federation, named by Attorney General Biddle as an affiliate of National Federation for Constitutional Liberties, which he branded as subversive. Panel member on "discrimination against racial, national, and religious minorities," at National Action Conference for Civil Rights, called by National Federation for Constitutional Liberties (April 19-20, 1940). The federation was branded subversive by Attorney General Biddle. Davis was also a sponsor of conference. Signed petition to abolish the Dies committee. Member and one of active leaders of National Lawyers' Guild, a Communist-front organization. Its pro-Communist program and control became so marked that many resigned, including Robert H. Jackson, then Attorney General, and now an Associate Justice of the Supreme Court; A. A. Berle, Jr., then Assistant Secretary of State and now Ambassador to Brazil. In his statement on resigning Berle said it was obvious that the guild was "not prepared to take any stand which conflicts with the Communist Party line." National secretary of National Negro Congress, listed by Attorney General Biddle as Communist controlled and subversive. Speaker before National Right-to-Work Congress, an openly Communist Party affair. Signed cable to President Vargas, of Brazil, in behalf of Luiz Carlos Prestes, head of Communist Party of Brazil and one of leaders in an abortive revolution. Sponsor of American Friends of the Chinese People, a Communist-front

organization faithfully following Communist Party line on Chinese question and on general loyalty to Soviet program. Vice chairman of first conference of SCHW and active in its work ever since; now member of its executive board, as already noted. Active in organization of Southern Negro Youth Conference. This is in effect the youth division of the National Negro Congress, labeled as Communist-packed and denounced as subversive by Attorney General Biddle, as heretofore noted. Sponsor of United American Spanish Aid Committee, Communist-front organization set up as part of Communist machine in Spanish civil war. Signed petition of United Front for Herndon, for release of Angelo Herndon, Negro Communist convicted of sedition. This organization was also known as Herndon Petition Committee and was an adjunct of Communist organized and controlled International Labor Defense. Sponsor of Conference on Civil Rights under auspices of Washington Committee for Democratic Action, listed by Attorney General Biddle as Communist controlled. Participated in public hearing program of People's Committee to Investigate un-American Activities entitled "The People Versus the Dies Committee," same auspices. A sponsor of Washington Friends of Spanish Democracy, affiliate of North American Committee to Aid Spanish Democracy, another Communist front functioning in Spanish civil war activities. One time executive secretary of National Association for Advancement of Colored People, continuing supervision of its Washington office after its headquarters were moved to New York. Brought legal action to force admittance of his 5-year-old son to white elementary school in Washington, D. C.; court dismissed action. Speaker before fifth national convention of Workers' Alliance of America, Communist inspired and controlled. Sponsor of Washington (D. C.) Citizens' Committee to free Earl Browder, Communist leader convicted of passport frauds. Speaker at National Free Browder Congress in New York. Sponsor of American Friends of Spanish Democracy, Communist-front organization in Spanish civil war set-up. Organizer for CIO among Negro workers. Sponsor of Mother Bloor's Seventy-fifth Birthday Souvenir Book. Mother Bloor is an old-time nationally known Communist organizer and speaker. Endorsed fourth national congress of American League Against War and Fascism, notorious Communist front. Sponsor of American Relief Ship for Spain, another Communist inspired and controlled move in Spanish civil war maneuverings. Member of Emergency Committee for Preserving the Fair Labor Standards Act.

Dr. James A. Dombrowski, executive secretary of SCHW. Member, National Citizens Political Action Committee. Of 141 members of this committee, 83 percent have records of affiliation with Communist and Communist-front organizations. Signed Communist statement urging President and Congress to uphold constitutional rights of Communist Party, ruled off ballot in 15 States. Affiliated with Conference on Constitutional Liberties in America, that launched National Federation for Constitutional Liberties, which was listed as subversive by Attorney General Biddle. Spoke at that conference (on the poll tax), and affiliated with the National Federation for Constitutional Liberties, foremost Communist-front organization in the United States. Signed petition to abolish the Dies Committee. Sponsor of People's Institute of Applied Religion, Communist-conceived, organized, and controlled. Labeled by Dies Committee as "one of the most vicious Communist organizations ever set up in this country." Wrote Highlander Folk School, eulogizing radical school at Monteagle, Tenn. This was part of an article on folk schools in October 1940 *Journal of Adult Education*.

Made speaking tour of New England in April 1941, appearing before Greenfield (Mass.) Central Labor Union at its annual banquet, and before students at Mount Holyoke, Smith and Amherst Colleges. Signed petition for pardon of Earl Browder, then general secretary of the Communist Party, imprisoned on conviction for passport frauds. Member of executive council of radical Highlander Folk School, which Nashville Tennessean, after thorough investigation, declared to be center for spreading of Communist doctrine in 13 southern States. Dombrowski is one of the incorporators of this school. Dombrowski is no newcomer to Socialist-Communist ranks. Educated at Emory University in Atlanta, and for a time secretary of its alumni association, he entered Union Theological Seminary in New York. In 1929, during summer, he worked in rayon mills to study labor conditions, was arrested in Elizabethton, Tenn., in June 1929, following an address made in the wake of a rayon strike, but was released on receipt of word from Gastonia, N. C., that no charges were pending against him there in connection with strike activities or otherwise. In 1933, when assistant in Christian Ethics at Union Theological Seminary, he was a candidate for board of directors of the Socialist League for Industrial Democracy, Inc. In 1935 he was temporary chairman of All-Southern Conference for Civil and Trade Union Rights, and in January 1936 signed the call for a united front of Socialists and Communists for struggle against war and fascism, to abolish southern wage differential, to support the Communist international labor defense in effort to free the Scottsboro Negro rapists, etc. He signed the call as representative of the Socialist Party of Tennessee. Editor of the Southern Patriot, official organ of SCHW. This publication follows the Communist Party line, advocating social equality between blacks and whites, repeal of segregation, and poll-tax laws, etc. Appeared as a witness before the lobby investigation committee of the Texas legislature in 1945, in opposition to freedom-to-work measures and to smear the Christian American and its secretary-treasurer. Went to Soviet Russia soon after he was graduated from Union Theological Seminary in 1931, and upon returning, reportedly had trouble with United States Customs Service over Soviet posters he was bringing in and that were considered seditious. Member of committee of editors and writers of the South opposing poll tax and other limitations on voting in the South.

Rose E. Dunjee (colored): A vice president (one of seven) of SCHW. Editor and publisher, the Black Dispatch, Oklahoma City, Okla. Member of National Citizens Political Action Committee—of its 141 members, 83 percent have records of affiliation with Communist and Communist-front organizations. Has written for Communist New Masses. Affiliated with Schappes Defense Committee, Communist-front group with strictly Communist objective, to wit: freeing of Morris U. Schappes, self-admitted Communist, former member of faculty of College of City of New York, convicted of perjury in courts of New York in connection with Rapp-Coudert Committee of New York Legislature investigation of Communist penetration of educational system. Signed open letter petitioning Gov. Thomas E. Dewey to pardon Schappes. Affiliated with Southern Negro Youth Congress, in effect the Youth Division of National Negro Congress, the latter classified as subversive by Attorney General Biddle. Affiliated with United Front for Herndon, also known as Herndon Petition Committee. This was an adjunct to the Communist International Labor Defense and was set up to secure release of Angelo Herndon, Negro Communist convicted of sedition. Dunjee signed petition for clemency. Speaker at National Association for the Advancement of Colored People,

Virginia Foster Durr (Mrs. Clifford Durr): A vice president (one of seven) of SCHW. A sponsor of Council of Young Southerners, Youth Section of SCHW. It interlocks with Communist-front organizations. Malcolm Cotton Dobbs, its executive secretary, was on national council of Communist-organized and controlled American Peace Mobilization. This illustrates the interlocking. A sponsor of League of Young Southerners, obviously same as council just noted. Has same executive secretary, administrative secretary, and sponsors as council, except that John B. Thompson, who was head of Communist-controlled American Peace Mobilization, appears as a sponsor of the league but not of the council. Both council and league were youth sections of SCHW. A vice chairman (one of two) of National Committee to Abolish Poll Tax, Communist front that received financial support from Communist Party. Sponsor of Paul Robeson's benefit concert in Washington, D. C., marking opening of celebration of tenth anniversary year of radical Highlander Folk School. Sponsor of Citizens' Committee to Free Earl Browder, national Communist leader and at that time general secretary of the party, convicted of passport frauds. On general board of Southern Electoral Reform League, organized to abolish poll tax.

Clark Howell Foreman: President of SCHW. Born in Atlanta, Ga., 1902. His father was a businessman, his grandfather editor of the Atlanta Constitution. Was graduated from University of Georgia at 19. Studied for a year at Harvard, followed by a year at London School of Economics, Socialist-Communist school where Harold J. Laski is instructor. Traveled for a year in Europe, during which he spent an interval teaching school in Germany. Returned to this country and took position with Interracial Commission in Atlanta. Had held responsible position with Phelps-Stokes Fund and Julius Rosenwald Fund, centering on educational work in South with emphasis on Negro phases. M. A. degree at Columbia University in the late 1920's, Ph. D. in 1932 at Columbia's faculty of political science. Spent another year in Europe. Author of the New Internationalism, and coauthor of the Consumer Seeks a Way (1934), and Total Defense (1940). In 1933, on return from Europe, became adviser on race problems to Secretary of the Interior Ickes. Boasts he was first official in Washington to have Negro secretary. Director of Power Division of Public Works Administration under appointment by Ickes in 1935, and after 5 years in that post became Director of Defense Housing for Federal Works Agency. In England for 8 months early in World War II on special mission for United States Navy; says color blindness barred him from joining Navy. Has been president of SCHW since 1942, serving in other positions theretofore. Secretary of National Citizens Political Action Committee. Contributed \$5,000 to CIO Political Action Committee. On general board of Southern Electoral Reform League, organized to oppose poll tax. In June 1940 organized Committee on Economic Defense for American Council on Public Affairs, which brought out the report called Total Defense, read into CONGRESSIONAL RECORD by Senator CLAUDE PEPPER. It was in response for elaboration that book Total Defense heretofore noted, was written with Joan Raushenbush (Mrs. Stephen Raushenbush) as coauthor.

Helen Fuller: Member of executive board of SCHW. Member of Council of Young Southerners, heretofore noted as youth section of SCHW. Member of Washington bureau of the New Republic, revolutionary socialist weekly. Writer for Free World, monthly magazine for United Nations, opposing nationalism and favoring world citizenship.

George Googe: A vice president (one of seven) of SCHW. Southern representative, one of consultants on its industrial production American Federation of Labor, at SCHW, and

tion panel. Also served on its committee on resolutions. Googe has been chief organizer for A. F. of L. for 13 years. As such has been through bitter labor wars in South, notably the 1934 textile strike, during which he delivered eulogy at mass funeral of seven pickets killed at Honea Path, S. C. Next to his textile activities, his hottest clashes have been against CIO in maritime industries. Served as president of Trades and Labor Assembly, Savannah, Ga. Admitted to National Labor Relations Board that local of A. F. of L. Tobacco Workers International in Larus Bro. tobacco plant in Richmond, Va., banned Negro workers, but asked that bargaining agency certificate be not revoked because of segregation practiced by this local. The matter became NLRB on charges of CIO Food, Tobacco and Agricultural Workers Union and trial examiner, Frank Bloom, had recommended revocation of certificate unless Negro workers were made eligible for membership, and not segregated in another local. On national advisory committee of League for Human Rights, Freedom, and Democracy.

Dr. Frank P. Graham: Honorary president (with Judge Louise Charlton) of SCHW. Born Fayetteville, N. C., October 14, 1886. President of University of North Carolina. Member of executive committee of American Committee for Democracy and Intellectual Freedom, a Communist-front organization, operating among college teachers and professors. The Daily Worker, leading Communist organ, featured its launching with a front-page display. One of sponsors of Midwest Conference of the Communist-organized and controlled American Committee for Protection of Foreign Born. Conference was called to discuss naturalization, immigration, and other laws and bills affecting aliens with view of making them "more democratic" and to establish realization that "the alien made America." Was also one of sponsors of fifth national conference of American Committee for Protection of Foreign Born. Member of Committee of American Friends of Spanish Democracy, Communist-front organization to aid Communist program in Spanish Civil War. Signed appeal of the notoriously Communist-organized and controlled American League for Peace and Democracy for quarantine of Fascist aggressor nations. Signed appeal of Russian War Relief, Inc., for aid for Russian people. Went on record as favoring Presidential clemency for Earl Browder, then General Secretary of Communist Party, serving sentence imposed for passport frauds. Signed appeal of Communist-organized and controlled Committee for a Boycott Against Japanese Aggression for boycott by consumers of manufactured and raw materials coming from Japan. The committee was organized in 1938, antedating opening of World War II, and was part of maneuvers to aid Communist program in China, with which Japan was then at war. Affiliated with Coordinating Committee to Lift the Embargo, a Communist-front enterprise to further Communist objectives in Spanish Civil War. One of sponsors of Council of Young Southerners, Youth Section of SCHW—interlocks through personnel with Communist fronts. Sent greetings to biennial national conference of International Labor Defense, Communist-organized and controlled. It is the legal defense arm of Communist organizations. Sent message of support and good wishes to Lawyers' Committee on American Relations with Spain, Communist-front organized around controlling Communist nucleus to aid Communist objectives in Spanish Civil War. One of sponsors of League of Young Southerners, same as Council of Young Southerners, heretofore noted, except that it adds John B. Thompson to list of sponsors. Thompson was head of the notoriously Communist-controlled American Peace Mobilization. One of the sponsors of National Committee to Abolish the Poll Tax, Communist-front that has received financial support from the Com-

munist Party. Signed open letter initiated by National Emergency Conference for Democratic Rights, protesting what it called alien baiting. This organization was a Communist front teeming with confirmed fellow travelers. Dr. Graham was also a sponsor or signer of this organization's "A Warning to America," calling for extension of "democratic" rights of the people "embodied in Bill of Rights, Social Security Act," etc. One of sponsors of China Aid Council, Communist-front. One of sponsors of drive to aid China, Aid Council of the Communist-organized, controlled and directed American League for Peace and Democracy. One of national sponsors of Medical Bureau and North American Committee to Aid Spanish Democracy, a Communist-front functioning in connection with Spanish Civil War. One of the sponsors of dinner under auspices of Soviet Russia Today, celebrating twenty-fifth anniversary of the Red army (February 22, 1943). The supplement of the Washington Post for Sunday, July 20, 1930, contains quite a significant write-up by David Rankin Barbee who, among other things, remarked:

"Frank Graham, as everybody calls him, except his students who address him as Mr. Graham, represents the new element in North Carolina and in the South, which is gradually seizing the reins of government. His prototype in the United States Senate is Hugo Black," etc.

Appointed by President Roosevelt as chairman, advisory council to formulate social insurance plan (11-10-34). Member of the national advisory council of the Institute of International Education, Inc., with headquarters at Columbia University in 1935. The Institute of International Education was the permanent American advisory organization for the Moscow State University. One of the sponsors of the Emergency Peace Campaign (1937). One of the sponsors of silver anniversary of the socialistic Survey Associates (1937). Trustee of the Church Peace Union (1938). Member of board of trustees of National Child Labor Committee (1938), an ambitious bureaucratic attempt to regiment the "children" of the whole country. Member of Council Against Intolerance in America (1939). One of sponsors of National Sharecroppers Week, under auspices of Southern Tenant Farmers' Union (March 24-31, 1939). Member of National Committee of American Boycott Against Aggressor Nations (1939). Member of the National Committee of Sponsors of National Conference on Civil Liberties, headed by the liberal William Allen White (now deceased), and in which the communistic International Labor Defense participated (Oct. 13-14, 1939). One of the officers of the National Conference of Christians and Jews (1939). One of backers of Facts and Fiction issued by the American Committee for International Information (affiliated with Council for Democracy) (1940). One of sponsors of Youth in Focus, which photo contest was open to all except those employed by the American Youth Congress or Friday magazine (1940). Sponsor and adviser for Work Camps for America (1940), a project of Highlander Folk School. Participant in American Association for Economic Freedom. Signed protest letter to Attorney General Jackson for treatment of conscientious objectors. Member of Commission to Study the Organization of Peace (1940). National Committee, International Student Service (1940). Vice chairman, Committee for Independent Voters for Roosevelt and Wallace (1940). Sponsor, American Rescue Ship (12-14-40 letterhead). National Advisory Committee, League for Human Rights, Freedom, and Democracy (3-31-41 letterhead). One of associate editors of Frontiers of Democracy (1941)—indoctrinating school teachers with Socialist propaganda. One of sponsors of Christianity and Crisis (1941). Member of the National Defense Mediation Board, representing the pub-

lic (Mar. 1941). Permanent Charter dinner—Socialist New School for Social Research (4-24-41). Union for Democratic Action (4-29-41)—labeled "subversive" by Attorney General Biddle. Russian War Relief Association (10-10-41). Sponsoring Committee, Citizens for Victory (12-22-41). Pled to Franklin Delano Roosevelt for Browder's freedom (Daily Worker, 4-13-42). 10-6-42 CONGRESSIONAL RECORD, asking Franklin Delano Roosevelt to inject himself into the Freedom for India Movement, a Communist Party-line project. International Honorary Board of Free World (1944)—a "world citizenship" leftist project. PM for 6-3-44 praised his stand against Montgomery Ward & Co. Member of Committee of Editors and Writers of the South, anti-poll-tax group. Member of the national committee of the notorious "patriot baiting," subversive Friends of Democracy, of which the pro-Soviet "Rev." L. M. Birkhead is the racketeering founder. Signed petition of National Federation for Constitutional Liberties against the United States Army ban on Communists being commissioned as officers (3-15-45) (Daily Worker). Edwin A. Lahey, of the Chicago Daily News (Washington, D. C.) staff, who is himself a member of the CIO and very sympathetic to organized labor, in writing about the appointment of Graham by Secretary of Labor Schwelienbach, as chairman of the three-man panel in the oil strike, said, on December 4, 1945:

"Dr. Graham, in his years on the War Labor Board, acquired a reputation as friendly to labor, and has never been known to be niggardly with a corporation's money in making an arbitration award."

Joseph B. Hunter: Member of executive board of SCHW. No other record.

Rev. F. Clyde Helms: Member of executive board of SCHW. Has served in earlier years as a vice chairman. Minister, Shandon Baptist Church, Columbia, S. C. No other record.

Dr. Charles S. Johnson (colored): Member of executive board of SCHW. Director of department of social sciences, Fisk University, Nashville. One of sponsors of United Nations in America dinner, given by Communist organized and controlled American Committee for Protection of Foreign-Born, as tribute to contributions of the foreign-born to America. Also a sponsor of its fourth annual conference. Signed statement for abolishing Dies committee, circulated by National Federation for Constitutional Liberties, listed as subversive by Attorney General Biddle. Has served as member of research staff of Tennessee Valley Authority. Member of board of trustees, Julius Rosenwald Fund. Has served on editorial council of the World Tomorrow, an internationalist-pacifist publication, now defunct. Appointed United States representative on Liberian International Commission to investigate labor conditions in Liberia. Appointment made by President Hoover, in response to request of Liberian Government that an American Negro be on Commission. On faculty of Midwest Institute of International Relations—1936—with Clark M. Eichelberger, left-wing internationalist-pacifist; Toyohiko Kagawa, Japanese social workers; Frederick J. Libby, director of National Council for Prevention of War et al. Member of advisory board of Progressive Education Association, founded on Prof. John Dewey's educational doctrines, changing its name later to American Education Fellowship. Member of Farm Tenancy Commission; blamed antiquated laws in South for much of difficulties of sharecroppers. One of the sponsors of National Sharecroppers Week. On its educators' committee—1940—on work to benefit Southern Tenant Farmers' Union. Author of Patterns of Segregation (Harper & Bros.), favorably reviewed by Communist Ben Davis, Jr., member of New York City Council, in Daily Worker, leading Communist publication in United States. Scheduled guest lecturer for Communist conceived and con-

trolled New Theater League. One of leaders of discussion on application of Christian pacifism to southern social and economic problems, before Blue Ridge, N. C., Conference of Fellowship of Reconciliation, left wing, extreme pacifist-internationalist organization. An editorial contributor to Fellowship, one of its publications. Vice chairman of Committee on Africa, the War and Peace Aims, organized by Dr. Anson Phelps Stokes, to apply principles of Atlantic Charter to African problems. On National Committee of American Committee for Democracy and Intellectual Freedom, a Communist front.

Paul B. Kern: A vice president (1 of 7) of SCHW. Bishop of Methodist Church; residence, Nashville, Tenn. Signed textbook commission pledge against anti-Semitism, fathered by The Protestant, left-wing religious group. Member of Emergency Peace Campaign, Communist-inspired. On Committee to Defend America by Aiding the Allies, the Organization led by the late William Allen White, to aid Allies in World War II, in every way short of war—this was prior to our entering war. Vice chairman of Crusade for a New World Order, led by council of bishops of the Methodist Church. It supported international collaboration and campaigned for approval of Dumbarton Oaks proposal, with suggested modifications affecting dependent peoples, for an international bill of rights, etc. Signed People's Mandate to Government, issued by Women's International League for Peace and Freedom, left-wing internationalist-pacifist organization infiltrated by Communists. One of sponsors of Council of Young Southerners, Youth Section of SCHW that interlocks through its personnel with important Communist-front groups. Likewise sponsor of League of Young Southerners, obviously same as council, as heretofore noted.

Roy R. Lawrence: Member of executive board of SCHW. President of North Carolina State Federation of Labor. Became Carolina's administrator for CIO in textile unionization and was cited to appear before State federation's executive board on May 1937 on charges of violating oath of office, sponsoring dual unionism, etc. The telegram calling him to appear to answer charges was sent by George Googe, southern representative of A. F. of L. Note that Googe is one of the vice-presidents of the SCHW.

Lucy R. Mason: Member of executive board of SCHW. Member of executive committee of National Citizens' Political Action Committee. One of sponsors of Council of Young Southerners, youth section of SCHW, noted heretofore. One of sponsors of League of Young Southerners, obviously same as council, as heretofore noted.

Mortimer May: Member of executive board of SCHW. No other record.

William Mitch: A vice president (one of seven) of SCHW. Member of national advisory committee of Galena Defense Committee, set up to raise funds for defense of members of the International Union of Mine, Mill, and Smelter Workers (CIO); indicted for murder in connection with labor riots marking strike of tri-State miners in Galena, Kans. Evidence was given that perpetrators of the murder were Communists, acting under instructions of Communist Party to foment violence, and that all members of Galena Defense Committee, with the exception of a Richard Murray, were either Communist Party members or 100-percent supporters of the Communist Party line in the Galena affair. President of District 20, United Mine Workers of America. On general board of Southern Electoral Defense League, organization opposing poll tax. Southern regional director of Steel Workers' Organizing Committee, organization that later became United Steelworkers (CIO). On so-called trade-union delegation to Soviet Russia, led by Albert F. Coyle. At that time he was Indiana State secretary of United Mine Workers of America. Trustee of Debs memorial radio

fund, that financed purchase of Debs memorial radio station WEVD. Assured WPA and other unemployed workers (1937) of support of miners and CIO in drive to organize the unemployed.

George S. Mitchell: Member of executive board of SCHW. Regional director for Southeast for CIO Political Action Committee, with headquarters at 75 Ivy Street, Atlanta. Born in Richmond, Va., in 1902. Rhodes scholar at Oxford University, England (1926-29). Economics teacher at Columbia College (1929-35). Regional director of Farm Security Administration for five States in the upper South, and was later Assistant Administrator. The Farm Security Administration was under constant congressional fire because of its pro-Communist and sovietizing program. Author of Textile Unionism in the South. Coauthor with Horace Cayton of Black Workers in the New Unions. During investigation of Farm Security Administration by a special House committee, an article from Puerto Rico World-Journal was submitted quoting Dr. Mitchell as saying, "Fee-simple ownership of property is the greatest detriment to our national prosperity," and declaring he advocated long-lease tenure of farm land, subject to cancellation. This was offered as evidence in support of charge that Farm Security Administration was seeking to sovietize tenant farming and poorer farmers generally by substituting long-term leases and shutting off all opportunity to acquire direct title. On executive council of the radical Highlander Folk School, heretofore noted.

Rev. A. T. Mollegen: Member of Executive Board of SCHW. Faculty member, Virginia Theological Seminary. Professor of Christian ethics. Chairman of American Democracy meeting in Washington, D. C., sponsored by East Washington branch of the notoriously Communist-organized and controlled American League for Peace and Democracy. Presided at one of sessions of Conference on Constitutional Liberties in America, June 7-9, 1939, that launched National Federation for Constitutional Liberties, listed as subversive by Attorney General Biddle. Elizabeth Gurley Flynn, then a member of the National Committee of the Communist Party and so announced on program, was one of the speakers at the session of the conference at which Reverend Mollegen presided. He was also one of the sponsors of the conference. One of two ministers conducting religious services at morning session (June 4, 1939) of the National Right-to-Work Congress, an out-and-out Communist party affair. Signed open letter to extreme left-wing American Civil Liberties Union, notorious for its defense of communists involved in actions to curtail their subversive propaganda activities, protesting its banning of Communists from membership and office on its national committee. All of the 17 signers of this open letter were frequent supporters of Communist party, its leaders, and its various fronts. Vice president of Conference on Civil Rights held under auspices of Washington Committee for Democratic Action, the Washington branch of National Federation for Constitutional Liberties, noted above. One of the sponsors of Tom Mooney meeting staged by Washington Tom Mooney Committee, set up by communist-organized and controlled American League for Peace and Democracy, through its Washington branch. This was all part of Communist program to exploit Mooney, convicted of dynamiting atrocity murder in San Francisco Preparedness Day parade prior to World War I. Sponsor of National Committee to Combat Anti-Semitism, a communist-infiltrated organization and interlocking in its personnel with the Protestant, publication of left-wing religious group. This committee is campaigning to oust Senator Bilbo of Mississippi from United States Senate and to secure adoption by Congress of Congressman Samuel Dickstein's (Democrat, New

York) House Concurrent Resolution 89 declaring anti-Semitism and other "hate propaganda directed against racial or religious groups," a weapon in the hands of enemies of this country. It would label anyone participating in such propaganda as "un-American" and holds that "there can be no place in the lives or thoughts of true Americans for such ideology." Note the words "or thoughts" in the quoted phrase and that just as anti-Semitism was part of the "Hitlerite ideology," as charged in the Resolution, so this proposal in this "thought" phase parallels the ideology on which rested the thought policing in Japan abolished on orders of General MacArthur. Member of committee of editors and writers of the South, organized to oppose poll tax and other limitations on voting in the South. On national committee of Church League for Industrial Democracy, a production-for-use-and-not-for-profit organization within Episcopal Church, roughly paralleling the Socialist League for Industrial Democracy. Chairman of Washington Citizens' Committee to Free Earl Browder, Communist leader convicted of passport frauds.

M. C. Plunk: Member of executive board of SCHW. No other record.

Dr. Arthur F. Roper: Member of executive board of SCHW. One of sponsors of Council of Young Southerners, youth section of SCHW, and of duplicating League of Young Southerners, both noted heretofore. Speaker on farm tenancy before 1938 meeting of SCHW. Staff member, Carnegie Myrdal Study, Atlanta. Connected with United States Department of Agriculture, Greensboro, Ga. Social analyst for Department and co-author of Sharecroppers All. Supporter of National Sharecroppers' Week, an organization noted heretofore. On general board of Southern Electoral Reform League, an anti-poll-tax organization and for liberalization of election laws in South.

Hollis V. Reid: A vice president (one of seven) of SCHW. Chairman, Tennessee legislative board, Brotherhood of Locomotive Firemen and Engineers, Memphis, Tenn. A vice chairman of second Tennessee State Conference on Democracy, at Nashville, to discuss poll-tax repeal, protection of civil liberties, and rights of labor. Assisted regular staff of radical Highlander Folk School during short spring term in May 1941, for organized labor workers. He is a member of the executive council of this school at Montecagle, Tenn. Chairman of Tennessee Commonwealth Federation. Signed petition for pardon of Earl Browder, Communist leader convicted of passport frauds.

Dr. Ira De A. Reid (colored): Member of executive board of SCHW. With department of sociology, Atlanta University. Member of National Citizens' Political Action Committee, CIO. Member of American Committee for Protection of Foreign Born, Communist-founded and controlled. At its dinner in tribute to the contributions of the foreign born to America, he was on program for "Testimonial to Franz Boas," affiliated with long line of Communist-fronts. Affiliated with the Communist-organized and strictly Communist-controlled American League Against War and Fascism. He was a member of the arrangements committee that planned and carried out its founding. Affiliated with Citizens' Committee to Free Earl Browder, a Communist Party affair set up to secure release of the national Communist leader convicted of passport fraud. Affiliated with National Federation for Constitutional Liberties, Communist-front branded subversive by Attorney General Biddle. Member of Committee of Editors and Writers of the South, an anti-poll-tax organization heretofore noted. Member of Joint Committee for Political Refugees, cooperating with Joint Campaign for Political Refugees, an organization of which Prof. John Dewey was honorary chairman that was working for a haven here for European

refugees. Cooperating with the Joint Campaign was the International Relief Association, which carries his name on its letterhead. Signed petition to President Roosevelt to countermand order of Attorney General Biddle for deportation of Harry Bridges, foreign-born left-wing labor leader and agitator. Director of Department of Research and Records, National Urban League, New York (1929). Lecturer for League for Industrial Democracy, Socialist. One of the endorsers of the All-Southern Negro Youth Conference, called originally by Southern Negro Youth Conference, youth section, of National Negro Congress, listed as subversive by Attorney General Biddle. One of the sponsors of fifteenth anniversary celebration of the radical left-wing Brookwood Labor College, Katonah, N. Y. Member of executive committee of League for Independent Political Action that in 1939 declared for campaign that will push the New Deal to the left.

Lillian E. Smith: Member of executive board of SCHW. Editor of South Today, Clayton, Ga., and author of Strange Fruit. Member of National Citizens' Political Action Committee. Affiliated with blatantly Communist-front American Peace Mobilization. Signed petition for release of Earl Browder, national Communist leader convicted of passport fraud. Affiliated with Emergency Peace Mobilization, which launched the American Peace Mobilization, noted above. Member of Committee of Editors and Writers of the South, an anti-poll-tax group as heretofore noted. One of 16 women selected for the 1944 Roll of Honor of National Council of Negro Women. Writer of wide variety of articles in publications of various types, such as Common Ground, Common Sense, American Unity, etc. Her The White Problem, in New York Herald Tribune Forum was condensed for the Negro Digest. Her race-relations novel, Strange Fruit, was banned in Boston and Cambridge, Mass., and the Massachusetts Civil Liberties Union pledged support in fight to lift restrictions. The Massachusetts Supreme Court, in a divided opinion, ruled it obscene, indecent, and impure. Member of National Committee of American Civil Liberties Union, extreme left-wing organization notorious for its defense of Communists under bans for their propaganda, and other activities.

Harry S. Strozler: Member of executive board of SCHW. Attorney, and contributing editor, Macon News, Macon, Ga. Member of Committee of Editors and Writers of the South, an anti-poll-tax organization noted heretofore.

Alva W. Taylor: Secretary-treasurer of SCHW. Signed open letter to President Roosevelt, sponsored by American Council on Soviet Relations, urging declaration of war on Finland in interests of unity of United Nations over Nazi Germany and its Fascist allies. Signed petition to abolish the Dies Committee, sponsored by National Federation for Constitutional Liberties, that was branded subversive by Attorney General Biddle. One of editorial advisers of the Protestant, publication of which Kenneth Leslie is editor and general manager. It is left-wing propaganda periodical with religious tone. One of sponsors of People's Institute of Applied Religion, classified by Dies committee as "one of most vicious Communist organizations ever set up in this country." Signed open letter of Schappes Defense Committee to Gov. Thomas E. Dewey, of New York for pardon of Morris U. Schappes, self-admitted Communist convicted of perjury in connection with New York legislative committee investigating Communist penetration of educational systems. Schappes had been on the faculty of the College of the City of New York for 13 years. Signed petition to President Roosevelt to countermand order of Attorney General Biddle for deportation of Harry Bridges, foreign-born extreme left-wing labor leader and agitator. Member of World Peaceways,

Inc., prewar internationalist and peace-at-any-price pacifist organization. One of national sponsors of New York chapter of National Sharecroppers' Week, noted heretofore. On Social Service Commission of Federal Council of Churches. Active member of People's Lobby, socialistic organization espousing Government ownership of industry and redistribution of wealth by confiscatory taxation. One of vice chairmen of Committee of Interchurch World Movement investigating steel strike in 1919. Report was prepared with technical assistance of socialist Bureau of Industrial Research. It was so biased it discredited itself. Affiliated with National Mooney-Billings Committee working for pardon of Mooney and Billings, convicted of murder in bombing of Preparedness Day parade in San Francisco, prior to World War I. Chairman of Church Emergency Committee for Relief of Textile Strikers in Danville, Va., set up to solicit funds and food for strikers. On executive committee (1933) of National Religion and Labor Foundation, set up to propagandize "the new social order" and overthrow capitalist system. One of its officers declared in its official organ that there would be need for "a trained and disciplined group who will know how to function in a Lenin-leadership when the hour of opportunity comes. Our concern is to build the understanding leadership from those who are ready to talk business and digest the strong meat of direct revolutionary preparation." Signed petition (1932) for recognition of Soviets circulated by left-wing internationalist-pacifist Fellowship of Reconciliation. Member of committee on Cultural Relations with Latin-America, notorious for picturing United States as imperialistic. Referred to George Washington (November 11, 1929) as "a slow-moving individual at any rate."

Rev. John B. Thompson: Member of executive board of SCHW. Has served as chairman in earlier years. Dean of Presbyterian Foundation at University of Oklahoma; pastor of First Presbyterian Church, Norman, Okla. One of sponsors of fifth national conference of Communist organized and controlled American Committee for Protection of Foreign Born. Chairman of American Peace Mobilization, one of the most notorious and blatant Communist fronts organized in this country. Made keynote speech at American People's meeting (April 5, 1941), sponsored by it. One of the sponsors of Committee to Defend America by Keeping Out of War, a provisional set-up leading to launching American Peace Mobilization, just noted. At the time of these activities the "line" of the Communist Party was based on the Stalin-Hitler pact that had not been broken by Hitler at that time. One of sponsors of Emergency Peace Mobilization, the meeting in Chicago that launched the American Peace Mobilization, just noted. One of sponsors of League of Young Southerners, Youth Section of SCHW and identical with Council of Young Southerners, except that the Reverend Thompson is not listed as a sponsor of latter. Bo'h closely interlocked through personnel with Communist fronts. One of sponsors of People's Institute of Applied Religion, labelled by Dies Committee as "one of the most vicious Communist organizations ever set up in this country." One of sponsors of call for Dinner Forum of Protestant Digest Associates. The Protestant Digest changed name to the Protestant, listed by Dies Committee as "one of the most remarkable vehicles of straight Communist propaganda in existence." It has a religious veneer. Former teacher at Highlander Folk School. Contributor to New Masses, Communist magazine, February 11, 1941.

Miss Jimmie Woodward: Secretary YWCA, University of North Carolina. Member of executive board of SCHW. Elected a regional representative for the South (one of two) at fifth national gathering of American Youth Congress, front organization set up and con-

trolled by Communists. Listed as subversive by Attorney General Biddle. At the time of her election as regional representative (1939) she was with YWCA at Randolph-Macon College.

Mr. BILBO. Mr. President, I had promised during this first installment of my 30-day speech to discuss the question of filibustering, and now I should like to make some observations on that much-discussed question. Although it was my hope that it would not be necessary for the business of the Senate to be delayed because of the FEPC, I do not now and have never hesitated to engage in a filibuster for a righteous cause. The privilege of unlimited debate, which makes filibusters possible, is one of the most sacred rights guaranteed to every Member of this esteemed and distinguished body. Without this right the minority would be helpless and defenseless and always and under all circumstances subject to the will of the majority, with not even a weapon with which to fight in the defense of the sovereign States that we represent on the floor of the Senate.

It has been said that majorities ought to have their way; but, Mr. President, majorities are not always right. The mob is a majority, but it is not right, and in times of hysteria, such as we have now in this country, there is a possibility of a majority, even of the people themselves, being misled in view of all the radio broadcasts and newspaper publications that are being disseminated to the American people. It is possible that the American people might be misled on these new, unheard of, foreign, alien ideologies or conceptions of government which are coming out of the city of New York, a city that has sent a Negro to Washington as a Member of the House of Representatives, a Negro named POWELL, who called the President's wife "the last lady of the land" because she dared to have luncheon with the splendid white ladies of the DAR of this Nation. We need not be surprised at anything coming out of that section.

Mr. President, the throttling of debate must never be allowed to exist in the Senate of the United States, the greatest deliberative forum in the whole world, and the only forum where free and unlimited speech is an inherent right. Yes, our opponents have the right, and can outvote and defeat a Senator in his contentions, but they cannot and they must not do it as long as he can and will speak. That is the doctrine of the filibuster.

It had been my intention to devote a portion of my speech at this time to a history of the merits of the filibuster, but last Thursday, after listening to the speech of the majority leader, the Senator from Kentucky [Mr. BARKLEY], I resolved anew to speak on this subject.

In his speech in the Senate on January 24 the Senator from Kentucky made this statement:

The filibuster as a legislative institution is unjustifiable and indefensible.

When our beloved and distinguished leader made that statement, he hit in the face the great men who have helped to make this Nation great, because the great men of this Nation who have been Mem-

bers of this body have engaged in filibustering for over a hundred years. I shall show in a moment what good they have done by the use of the institution known as filibustering. Yet our friend, the leader of the majority, says it is "unjustifiable and indefensible."

It seems that the Senator from Kentucky, along with some others, has the erroneous opinion that filibustering is wrong and should not be permitted. This belief is not only unfounded but the authority and justification for filibustering is recognized and honored by its use for 150 years. It has been resorted to by some of the greatest men who have ever held seats in this distinguished body. I question the right of any man to censure and condemn the great men who have been forced to resort to the filibuster in defense of good government and constitutional rights on so many occasions during the past 150 years.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Mississippi yield?

Mr. BILBO. Yes; if I may yield without losing the floor.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Mississippi a question. Does he not believe that if 60 or even 75 percent of the laws which have been passed by the House and the Senate had been killed the Nation would have been better off?

Mr. BILBO. I always thought there was more virtue in killing legislation than in passing it.

Mr. President, the United States Senate is the only free forum in the world. The right of unlimited debate which belongs to every Member of this body is a weapon to safeguard the rights of minority groups, and it is a technique which must be protected and preserved.

Legislative filibustering is made possible and is permitted by the rules of the United States Senate. "Filibustering," as a term of parliamentary procedure, refers to the methods by which the proceedings of a legislative body may be delayed or obstructed, usually for the purpose of defeating a particular piece of bad legislation. However, the filibuster never actually kills any bill. It merely affords ample discussion and delays action.

Let us consider the proposal we are now discussing. We can filibuster; we can prevent the passage of the pending bill, but we cannot kill it. If it is righteous, and is necessary for the welfare and progress and growth and expansion and happiness of the people of America, it will persist, and in the end it will become a law. All we can do is to delay it, in order that the people of this country may know what it is, and if, after the people know all the facts about it, they still want it, they will put men in the Congress who will pass it. Do not worry about that.

Here is a bill which has been brought before the legislatures of 20 States, and 18 of those States have killed it through their legislative processes. Only two have passed it, and that was in a modified form. It is a kind of a joke in New Jersey. Dewey became afraid of his baby, and has in a way put the soft pedal on it in New York. But I notice that

certain minorities think that New Jersey and New York are today their mecca, and there are millions on their way. I hope that the legislature of my State will provide expenses of transportation, and let every citizen of my State who wishes to go to New York and New Jersey travel at the expense of the State government.

The term "filibuster" may be somewhat modern, but the use of filibustering tactics is certainly not a new legislative practice in the world. The method was used in the Roman Senate, and was long known to the English Parliament. Filibustering was practiced in some of our colonial legislatures—that is, in the Thirteen Original Colonies. Indeed, the very ratification of the Federal Constitution resulted in a famous but unsuccessful filibuster in the Pennsylvania one-house legislature.

Mr. President, as I have said, things which are right and things which should be done for the welfare of the people will in the end be successful. But in all the filibusters which have been successful in the past there has been no effort to renew the objectionable thing that was killed by the filibuster, and time has shown that the success of all filibusters has resulted to the benefit and welfare and glory of this great country.

Under the Constitution of the United States filibustering found a place in the First Congress. Congress was meeting in New York, in June 1790, when a wrangle occurred which could certainly be called a filibuster. It is strange, Mr. President, that so much hell is being raised about filibustering by many New Yorkers who come here, and yet the first filibuster in this Republic took place in New York. They should be ashamed of themselves. They started it. The controversy concerned which city should be chosen as the meeting place for the United States Congress. When the Senate rejected the House motion calling for the selection of Philadelphia, the House tried to pass the motion again. This time two Members of the House delivered long speeches and made dilatory motions to delay action, and they prevented a vote for some time. There was even the threat of a filibuster in the Senate, for when it next met there were numerous endeavors made to waste time.

To hear some persons talk, Mr. President, Senators have been "wasting" time ever since we have had a government; but what seems to some to be a waste of time really is a service and to the best interests of the country in the long run. No one knows when—perhaps in the twinkling of an eye, or in a year or in 2 years or in 5 years—a measure may come up from the South, a bill which would impose upon the State of New Jersey and the State of New York conditions which would be very obnoxious to and cause resentment in the hearts of the people of those two States, and the people of those States would be glad to know that their Senators had the right to fight and fight and delay and delay and kill and kill motions made in an attempt on the part of a bloc from the South to do something that the people of those States did not want done. The people of those States are interested in this matter.

Mr. JOHNSTON of South Carolina. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. BILBO. I yield.

Mr. JOHNSTON of South Carolina. I wish to ask the Senator if it is not true that filibusters have occurred in the Senate during all its existence, and if it is not also true that the same rules for the conduct of the business of the Senate have been in force ever since the Senate has been in existence, ever since the Constitution was adopted?

Mr. BILBO. Yes.

Mr. JOHNSTON of South Carolina. The same Senate rules are still in existence. Why change the rules now?

Mr. BILBO. I said a while ago, Mr. President, that there was hysteria resulting more or less from the disturbed conditions incident to the war we have just gone through, and primarily because of the organized efforts on the part of a minority to enforce upon the Congress and the American people its ideas of what it calls social equality. As a matter of fact, the real guts behind this bill, its real heart, the real idea behind it on the part of those who are now pressing it, is the enforcement of social equality in work. It is not so much a question of equality in obtaining jobs as in obtaining social equality. Senators know that we have a class of people in this country who say that segregation of any kind is discrimination. That doctrine has been preached by Judge Hastie and Roy Wilkins and Walter White and a great many other colored people, and by some white people who are not so fastidious. They have been preaching that segregation is discrimination. There never was a bigger lie in the world than that segregation is discrimination.

Mr. McCLELLAN. Mr. President—

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. BILBO. I yield.

Mr. McCLELLAN. If segregation is discrimination, then if we require those of a different political faith in this body to sit on the other side of the aisle they could charge they were being discriminated against.

Mr. BILBO. We are certainly discriminating against our Republican friends. But they are not "bellyaching" about it. They realize that it is right. They are glad to be grouped together so they can lay their plans to undo the Democrats in the Senate. And if the northern Democrats keep on monkeying with us southern Democrats we are going to draw the line of separation over on this side. [Laughter.]

I want to make a further observation about segregation. I said segregation was a law of nature. Segregation is perfectly natural in nature. It is natural in the animal world. We do not see horses out in the meadow land lining up with the cows. No; the cows go by themselves this way, and the horses by themselves the other way. Hogs and sheep keep apart. Hogs go by themselves and sheep by themselves. That general law also applies to the human race. People

of the Mongolian races associate together. They intermarry and want to live together and do business together. The same is true of the Indians. The Negro race is the only one I know of which is ashamed of its race and which tries to obtain for itself social equality with the white race. Most of its leaders preach that segregation and mongrelization and intermarriage between the whites and the blacks is the only solution for the race question in this country.

Dr. Linton, dean of anthropology of Columbia University, said about 5 or 6 weeks ago that at the present speed of mongrelization, intermixing, intermarrying, and interbreeding between the whites and blacks, within nine generations, 300 years, there will be no whites in this country and no blacks. We will all be brown or yellow. Dr. Linton is not far wrong. The regrettable thing about it is that there are many white people in this country who have no regard for the integrity of their white blood, who are encouraging and aiding and abetting the attempt, the fight, the campaign, the movement which is on to bring about the mongrelization of their own white blood. I say that FEPC is one of the instruments they want to use to bring about that social equality which leads to miscegenation, mongrelization, intermixing. There are 18 States in this country which have legalized marriage between Negroes and whites. Today the yearly average is about 600 legal marriages in those 18 States between Negroes and whites. That does not take into consideration the interbreeding and mixing between Negroes and whites in all the rest of the country. That is horrible. That is why Dr. Linton said the fight was on, the race was on.

I do not know how others feel about it, but so far as I am concerned, Mr. President, if you want to "cuss" BILBO for being a bigot, for being a pessimist, and being this and that just because I have regard for my white blood, then make the most of it. So far as I am concerned, I would rather see my race and my civilization destroyed by the atomic bomb, with all its fury and its horror, than to see it destroyed by the slow, subtle, insidious campaign of mongrelization. One method is slow, the other is fast. I would prefer the fast method.

Obstructive tactics were characteristic of the House of Representatives long before they became common in the Senate. However, because of the size and the nature of the business of the House, rules were soon adopted limiting debate. There are 435 Members of the House, and if each Member wanted to make a speech of an hour or so in length, the House never would get through with dealing with one subject in a whole session.

By 1890 the House rules no longer permitted unlimited debate, and since that time filibustering has been confined to the Senate. The House is composed of men elected every 2 years from the body of the people, and its Members do not need to speak as long as Senators do. One of the special jobs of the Senate is to analyze and discuss bills which come over from that great body, with a membership of 435, which cannot spend much time in discussion and analysis. It is our

duty to analyze and discuss bills without limit, and discover the mistakes in policy and the effect on the American people if a proposed law is put into operation. That is our duty. If we see fit to discuss a bill for 2 weeks, 3 weeks, 30 days, or 6 months, that is all right. In the long run it is to the interest of the people.

During the early sessions of the Congress the procedure known as the "previous question" was a method by which debate could be limited in the Senate. But that rule was abolished in 1807, and there were no other rules adopted by which debate could be limited until the so-called cloture rule was adopted in 1917. In other words, from 1789, when the First Congress met in New York City, until 1807, there was what every parliamentarian knows as the "previous question," which cut off all debate. That procedure was so disastrous and so ineffective in perfecting legislation that in 1807 it was done away with. Some "nut" would demand the previous question merely to stop the discussion. Until 1917, for 110 years in the United States Senate, there has been no rule, no method, and no regulation by which the discussion of a subject on the floor of the Senate could be stopped.

But in 1917, during the war hysteria, when war legislation was being enacted, someone conceived the idea of cloture. We know what cloture is. After a bill has been thoroughly discussed, or at any time, 16 Senators may file a petition and force a vote on the question of whether cloture shall be imposed. It has practically the same effect as the previous question. It closes the debate. I shall come to that subject a little later.

Mr. President, I believe in free and unlimited debate. I am opposed to cloture; and I am not alone in that. I repeat that the day may come when those who are clamoring for limitation of debate, and cursing us because we filibuster, and who wish to do away with the filibuster, may wish that the right of filibuster still existed in order to save them and their particular section.

We do not know what is going to happen in this country. I am opposed to any limitation of debate in the United States Senate. The right of free and open debate has long been cherished in this body. The right of unlimited speech is a powerful weapon, but it is a safeguard necessary to the preservation of the liberty upon which this Nation was founded.

In 1897 Vice President Stevenson made the following statement with reference to the limitation of debate in the Senate. Listen to what one of the great men of the past said about it:

It must not be forgotten that the rules governing this body are founded deep in human experience; that they are the result of centuries of tireless effort in legislative halls to conserve, to render stable and secure the rights and liberties which have been achieved by conflict. By its rules the Senate wisely fixes the limits of its own powers. Of those who clamor against the Senate, and its methods of procedure, it may truly be said: "They know not what they do." In this Chamber alone are preserved, without restraint, two essentials of wise legislation and of good government—the right of amendment and of debate. Great evils often result from hasty legislation; rarely from the

delay which follows full discussion and deliberation. In my humble judgment, the historic Senate—preserving the unrestricted right of amendment, and of debate, maintaining intact the time-honored parliamentary methods and amenities which unflinchingly secure action after deliberation—possesses in our scheme of government a value which cannot be measured by words.

That is not BILBO talking. That is one of the great men of the past, passing judgment upon the right of filibuster.

Members of the Senate represent the sovereign States from which they are elected. We must uphold the sovereignty and rights of our States. The privilege of unlimited debate gives us a method to protect those rights from destruction. So long as this right remains, the majority cannot force its views upon the minority when the minority is on guard and ready to fight. In other words, this body could not impose any law on the good people of Pennsylvania, New York, or New Jersey if Senators from those States were on the job to protect their rights. The rules of the Senate are such that they can stand here and fight as long as there is breath in them and keep their States from being imposed upon by any antagonistic majority from the South or from the West.

In certain sections of our country there are a great many aliens who have brought with them alien governmental concepts. Many of them are crackpots. Some of these days the South and the West will get together, and there will be some filibustering. We will get together and stop all this damned foolishness.

Each Senator is an ambassador from his State. Representatives in Congress come directly from the people, and their number is in proportion to the population. That is not so with the Senate. Each State has two Senators. New York, with her millions of people, has no greater representation or rights in the Senate than tiny little Rhode Island. The principle of State rights is not only essential and vital, but it is the very foundation of our dual system of constitutional government.

In discussing the United States Senate, the late Senator Henry Cabot Lodge made the following statement—let us hear from the late Senator Lodge, a great Republican and a great scholar:

It is not necessary to trace the long struggle between these opposing forces which ended in the most famous compromise of the Constitution of which the Senate was the vital element, and which finally enabled the Convention to bring its work to a successful conclusion. It is sufficient here to point out that, as the Constitution was necessarily made by the States alone, they yielded with the utmost reluctance to the grants of power to the people of the United States as a whole and sought in every way to protect the rights of the several States against invasion by the national authority. The States, it must be remembered, as they then stood, were all sovereign States.

They were little independent republics. There were 13 of them.

Each one possessed all the rights and attributes of sovereignty, and the Constitution could only be made by surrendering to the General Government a portion of these sovereign powers.

In the Senate accordingly the States endeavored to secure every possible power which

would protect them and their rights. They ordained that each State should have two Senators without reference to population, thus securing equality of representation among the States. They then provided in article V of the Constitution that "no State without its consent should be deprived of its equal suffrage in the Senate."

Each Senator covers so many square feet of this beautiful carpet, and if he has not "guts" enough to get on his square and hold it and defend the rights of the people of his State, he is not worthy of membership in this body.

Except on some rare occasions the Senate has been the conservative part of the legislative branch of the Government. The cloture and other drastic rules for preventing delay and compelling action which it has been found necessary to adopt and apply in the House of Representatives have never except in a most restricted form been admitted in the Senate. Debate in the Senate has remained practically unlimited—

This is Senator Lodge speaking—

and despite the impatience which unrestricted debate often creates, there can be no doubt that in the long run it has been most important and indeed very essential to free and democratic government to have one body where every great question could be fully and deliberately discussed. Undoubtedly there are evils in unlimited debate, but experience shows that these evils are far outweighed by the benefit of having one body in the Government where debate cannot be shut off arbitrarily at the will of a partisan majority.

Our Republican friends on the other side of the aisle are in the minority in this body, but they have this power. The majority of the Senate, on this side of the aisle—we Democrats—cannot run over the Republican Senators who are representing their States. They can stand together like a solid brick wall, and we cannot move them. That is why Senator Lodge said that the Constitution and the machinery of this body are so geared as to protect the sovereignty of the States. Mr. President, the day will come when the gentlemen on the other side of the aisle will wish they had the power to prevent cloture, so that debate might go on and so that their rights might be protected. Sometimes people act in a crazy fashion; sometimes they go wild. We sometimes have hysteria in the country. If an unsafe man were put in the White House, and if at that time there were an unsafe Congress on Capitol Hill, we could have communism, we could have totalitarianism, we could have almost anything overnight. But so long as the right of debate and the right of filibuster—which is only the right to delay—continue to exist, if there were left in Congress only a few men who believed in the eternal principles of our constitutional, dual system of government, our country could be made safe, regardless of who was in the White House, regardless of what might be the majority in Congress. The right to filibuster is the greatest safeguard ever given to a free people; and yet some unthinking people say, "Oh, let us do away with filibustering. It is wicked, it is sinful, it is wrong, it is disgraceful." One lady down in Atlanta, Ga., said BILBO was un-Christian because he is in favor of filibustering—poor fanatic.

I continue to quote from the statement by the late Senator Lodge:

The Senate, I believe, has never failed to act in any case of importance where a majority of the body really and genuinely desired to have action, and the full opportunity for deliberation and discussion, characteristic of the Senate, has prevented much rash legislation born of the passion of an election struggle, and has perfected still more which ultimately found its way to the statute books.

Mr. President, since I have been a Member of the Senate there was a Senator to whom I said one day, "Senator, do you know what your colleagues say about you? They say you are the meanest old rascal in the Senate."

"Well," he said, "that is very discouraging."

I said, "Wait a minute; I am not through. They also say that you are the most useful Member of the Senate."

The reason for it was that that Senator spent 18 hours of every day of his life reading every bill, every report, and every other matter which came before the Senate, and he knew more about every bill than did any other Member of the Senate. On calendar day, the day when bills are passed by unanimous consent—and that is when the snakes crawl—he stayed in the Senate Chamber and stopped and killed more bad laws than any other Member of the Senate ever did. I wish he were here now. We need him.

I read further from the statement by the late Senator Lodge:

The Members of the United States Senate have always cherished the freedom of debate which has existed in this Chamber. Senators have been reluctant to adopt any rule of cloture and even after the present rule was adopted in 1917, they have been reluctant to invoke it. Cloture is a gag rule; it shuts off debate; it forces all free and open discussion to come to an end. Such a practice destroys the deliberative function which is the very foundation for the existence of the Senate. It was the intent of the framers of the Federal Constitution to obtain from the Upper Chamber of the Congress a different point of view from that secured in the House of Representatives. Thus, the longer term, the more advanced age, the smaller numbers, the equal representation of all States. Careful and thorough consideration of legislation is more often needed than limitation of debate.

Mr. President, as we know, the age limit for Members of the Senate is greater than that for Members of the House of Representatives. The term of a Senator is 6 years, and the founding fathers arranged to have the elections of Senators staggered in such a way that only 32 Senators are elected every 2 years, which results in always having two-thirds of the Senate with 4 years of experience. That is why the Senate is a safer body, and is able to correct the mistakes of the House of Representatives.

I read further from the statement by the late Senator Lodge:

Unlimited debate—the filibuster—has proved its merits through the years of our national existence. Time has proved that filibustering has prevented action and defeated legislation which would have been disastrous to the American people. Prolonged debate saved us from the Force bill in 1891; free silver in 1893; the Ship-Purchase Act in 1915; the antilynching bill in 1922, in

1935, and 1938; the ship-subsidy bill in 1923; and a number of other measures. It is true that there may be some difference of opinion as to the merits of some of these measures, but who will now deny that in these instances the snap-shot decision would have been calamitous? The following are the words of former Senator J. T. Robinson, who was once minority leader in the Senate:

In no single instance has a measure of outstanding importance, defeated through resort to filibuster, been subsequently revived. In every case where a considerable minority has resorted to the utmost extremity to prevent a vote upon a bill, it has been based on the contention that the proposal is inconsistent with the spirit of American institutions, is violative of the fundamental principles of our Government, and, if thoroughly understood, will be rejected as subversive of American civilization. The Force bill (1891) and the Dyer antilynching bill (1922) are illustrations. If a vote had been taken in the Senate upon either, they would have been passed by large majorities. Yet neither has ever been brought forward again.

Mr. President, now let us consider the antilynching bill. Many fanatics have been crying about the need for the passage of an antilynching bill. They have said that too many persons were being lynched in the South. Well, the southern bloc has fought such legislation. We fought it in good faith, not because we believed in lynching, but because we were about to solve that problem ourselves. Through the churches, the schools, and the actions and utterances of public men we have been able to reduce the lynching evil to practically nothing in the South today. Sometimes a whole year goes by with no lynchings. Sometimes 2 years pass with no lynchings. Therefore, Mr. President, so far as human life is concerned, whether a person be black or white he is much safer in the South than he is in Harlem, New York, because the records show that some poor Negro is killed in Harlem every night of the year. [Laughter.] Some day we southern people will have a law passed which will take care of the Harlem situation, and while the bill is pending before Congress some persons who will oppose it will get on JIM MEAD's neck and on BOB WAGNER's neck and try to get them to filibuster against it.

We have done away with lynching in the South because it is inherently wrong, and our law-enforcing officials know that we will back them up. If the Congress had passed the fool antilynching bill which was pending before the Congress for some time, there would have followed ten times as many lynchings as had taken place prior to that time.

In the book entitled "Filibustering in the Senate," by Franklin L. Burdette, the following arguments are given as being commonly advanced by those who favor the practice of unlimited debate in the Senate. I wish to read them. We have plenty of time. We are not going to pass the pending bill today. [Laughter.]

The principal defenses offered by the supporters of the practice of filibustering are: (1) That minorities have rights which no majority should override; (2) that a Senate majority does not necessarily represent a majority of the people or even of the States; (3) that it has become the special duty of the Senate carefully to inspect legislation, a duty not readily performed without freedom

of debate; (4) that filibusters really do not prevent needed legislation, because no important measure defeated by filibuster has been enacted later; (5) that it is the peculiar function of the Senate to act as a check upon the Executive, a responsibility too easily thwarted if Senators could be prevented from speaking fully upon all matters; and (6) that the constitutional requirement for recording the yeas and nays is a protection of dilatory tactics.

The principle that minorities have rights is no less an American tenet than the principle that the majority should rule. It is not an unfamiliar cry that government is constituted to protect minorities against majorities.

Do Senators understand the import of that statement? Evidently its significance has never impressed itself upon some persons, because they never heard it before.

Indeed, most Americans would uphold the argument that there are rights of individuals which a majority must respect. Natural rights, inalienable and inherent, are still significant in American thought. The Constitution contains great guaranties of minority freedom from oppression. Many defenders of the filibuster argue that when a great constitutional guaranty is being trampled by an unheeding majority the minority should obstruct with all the vigor at its command. John Sharp Williams, of Mississippi, declared that Senators represent States as ambassadors and that it is their duty to protect the rights of States even by filibuster.

It is contended that if a minority cannot be protected by parliamentary means the forces restrained through majority pressure may well overrun the majority at the next election or may burst out even in violence or revolution. Filibusters are almost always supported by minority opinion bearing at least some strength in the Nation, and if the issue is great enough that minority may never yield short of physical conflict. Filibustering is part of the democratic system to force compromise, the conserving possibility in great controversy.

Often Senate majorities do not conform to the opinion even of the popular majorities which they purport to represent. Frequently popular opinion upon a question has not been formulated, or if it has been, it is often not effectively expressed.

That is the situation in connection with the pending bill. Notwithstanding the fact that similar bills were introduced in the legislatures of 20 States, and that they were defeated in 18 of them, many persons have not yet had time to know about it. Perhaps by the time the elections are held next fall, more people will have become informed.

I continue reading from the book:

For the formation and expression of public opinion, information, discussion, and time, are necessary. Those indispensable are supplied in part by prolonged debate in the Senate and filibuster may prevent hasty majority action which would be out of harmony with genuine popular will. Legislative obstruction apprises the public of proposals with which they may be out of sympathy and which perhaps are close to enactment without popular awareness. If the public is actually sympathetic with the proposition, time is afforded for consideration of factors perhaps overlooked and for a clear popular mandate. That time should elapse before a final decision is said to be a reasonable minority demand.

Mr. President, let us take the pending bill. It was brought in with all the pomp, glory, and ceremony of the com-

mittee, placed upon the calendar, and made ready to be passed. Many Senators were ready to vote for it. However, after the Senate has heard a discussion and an analysis of the nefarious provisions of the bill, I dare say that not a dozen Members of the Senate will vote for the bill in its present form. I know that Members of the Senate who were strongest in favor of FEPC legislation refused to put their names to this bill because they would not stand for that kind of un-American legislation. However, some others swallowed it hook, line, sinker, bait, and all.

I continue reading:

An existing Senate majority may have been repudiated at the polls. In the former short sessions of Congress, sitting (prior to the twentieth amendment) after an election, that was frequently the case. Even today such "lame duck" sessions of Congress might be called between the date for the congressional elections and the following 3d of January, and in such sessions a Senate majority might be unrepresentative both of popular will and of the will of the majority of the States.

Of course, that would not apply at the present time, because the Norris amendment has been done away with the "lame duck" session.

Mr. RUSSELL. Mr. President, if the Senator will yield, I may say that we still have a "lame duck" session between November and January, during which time a majority of the Congress might have its way even though it had been defeated in a prior election.

Mr. BILBO. The Senator's statement is made on the theory that we will always have continuous sessions. Before the war we did not have continuous sessions. In part, the Senator from Georgia is correct, but prior to the war, when Congress adjourned during July or August, the statement which I have read from the book would not apply.

I continue reading:

Moreover, only one-third of the senatorial terms expire after each election. After an election in which candidates favoring an issue had been defeated by the people with unmistakable intent, a majority for that issue might still remain. The objection might have particular validity regarding ratification or rejection of a pending treaty which had been an issue. The House, more responsive to election returns, would have no voice in the matter and could not check the Senate.

It is complained that at any time a Senate majority may represent a minority of the people in the Nation. Because of the equal representation of the States that possibility is unavoidable. On the other hand, a relatively few Senators from populous States may represent a majority of the American people, and at times such Senate minorities have been led to feel that they should have a determining voice in the public business. It has also been pointed out that in critical circumstances, when a division in the Senate is close, existing vacancies in representation may give the majority only a temporary lease upon control of the situation. Unrepresentative and temporary majorities, it is argued, are justifications for filibuster.

A clear majority in the Senate may act under compulsion from a minority of leaders or from outside influences, and defenders of filibustering contend that under such conditions proposed legislation should be resisted with every parliamentary device. If a caucus system prevails, formally or informally, a

mere majority of the majority party, perhaps a distinct majority of the entire Senate, may seek effectively to control the action in the Chamber.

At present it is possible, under certain conditions, for members of the Democratic conference in the Senate to bind party followers, although the arrangement is rarely used.

I may say at this point that since I have been in the Senate we have not had any party caucuses to control Members on this side of the Chamber. Every Democratic Senator has been permitted to go his way and speak his convictions and vote as he pleases, without any effort on the part of the Democratic leader to tie us up and pledge us in advance of coming on the floor.

I read further:

There is no procedure in the Republican conference by which Senators can be bound. Yet the committee system itself may enable a few Senators to exert great influence upon all the members of their party. Committee members of the majority party may so commit their party to a course of action that only insurgents will refuse support. Often members of a Senate majority learn that in order to obtain legislation of their own they must consent to measures proposed by other majority Senators even if they do not approve of them. Legislation can thereby come to final passage supported by a majority of whom very few are genuinely in favor of the whole bill; it has been a matter of accepting the undesirable in order to retain highly valued provisions or to win support for other measures. Compulsion upon a majority also may come from outside the Chamber, particularly from an executive who uses his power of patronage to drive through the Senate a program of his own. Obstructionists therefore assert that in defeating legislation they often express the inarticulate sentiments of many Senators in the majority.

Since debate and deliberation are now rigidly curtailed in the House of Representatives, the Senate has become the only forum in the National Government where unhurried consideration, and, if necessary, long discussion, can be employed to perfect laws. The importance of the Senate in revising bills passed in the House is recognized as great. Senators are proud to be entrusted with responsibility for thorough analysis of legislation, and they value the privilege and utility of unlimited speech to enable the presentation of every possible view.

The favorite argument of defenders of obstruction is the statement that no filibuster has ever defeated important legislation deeply desired by the American people. To support the remark, it is said that great measures which have been successfully obstructed have not subsequently been enacted into law. But conditions may change to make obsolete a desire for such once-defeated legislation, and often measures are of such nature that, however great the demand for them in some quarters, passage is obviously impossible because of the inevitable renewal of filibustering should old issues be reopened. Users of such an argument take no account of bills enacted because of minority coercion or of the multitude of measures indirectly defeated by filibustering because there has been no time to consider them.

There are even those who insist that filibusters do not prevent the Senate from accomplishing the necessary business before it. They point out that a great mass of legislation is enacted by agreement to vote or by unanimous consent and that arrangements have been made in the rules for regular times to consider unobjected measures. And, after all, it is contended, the only real sanction behind the rules, whatever they are, is honor. Through a sense of honor and responsibility, both the majority and the mi-

nority cooperate in the process of legislation. Business in the Senate cannot be conducted upon a plane higher than the caliber and integrity of its membership.

That is a very important statement.

It has been argued persuasively that it is the peculiar function of the Senate, by the nature of the constitutional system, to check the Executive. The Senate alone has been endowed with prerogatives of advice and consent upon matters pertaining to appointments to office and to the ratification of treaties. Through its power of investigating policies of governmental agencies, combined with the privilege of Senators to discuss without hindrance what they please, the Senate constitutes the only great check upon the activities of the executive branch. Without the potentiality of filibusters, that undiminished power to check would be gone. Senators who believe that something is wrong in the Government are free to dilate upon it and to present such evidence as they may elect. If the policy or condition complained of is flagrantly improper, its investigation or correction is difficult to avoid without embarrassment. Indeed, Senators may, by their sheer ability to block business, force investigations distasteful to a majority and perhaps also to an Executive. Free speech in the Senate, by encouraging publicity in the affairs of government, is a safeguard to liberty.

Mr. President, in a speech in the Senate a few days ago the Senator from Kentucky [Mr. BARKLEY] said:

This is the only body among all the legislative bodies in the world about which I know anything where it—

The practice of filibuster—

is recognized as a legislative institution and is practiced. The legislature of my State met 2 weeks ago—

That is, the legislature of Kentucky. With all the whisky there, anything is likely to happen in Kentucky. The Senator continued:

The legislature of my State met 2 weeks ago, and one of the first things it did was to adopt rules which would prevent anyone from delaying a vote on a measure in the Kentucky legislature, on the theory that it has the right to vote on legislation which is brought forward. That is the way I feel about the United States Senate.

Our Democratic leader made that statement, and he endorses it wholeheartedly. In other words, he proposes to deny the right of minorities on the floor of the United States Senate, and he wants the majority to have its way always.

Somebody has been plowing with my heifer!

The Senator from Kentucky is opposed to the filibuster; he is opposed to unlimited debate. Yet in another part of his speech he made this statement:

I have voted for cloture and I have voted for it on the theory that if I voted for it in one case I was not automatically bound by any future implication of the rule of cloture which might embarrass me in the method in which I might consider future legislation coming before the Senate. In other words, every measure stands on its own bottom and its own merits; and the effort to restrain, restrict, or limit debate, and the vote upon the motion for cloture upon any measure do not in any way bind any Senator as to how he should vote in the future on some other cloture motion pertaining to some other legislation.

In other words, after the Senator from Kentucky in thunderous tones says filibustering is indefensible and undemocratic, and after he says he will vote for cloture, he says, "I want it understood that every question stands on its own bottom. The time may come when some question will arise when I would be against cloture."

Back in his mind, in his heart, the Senator from Kentucky, while he is anxious to have this FEPC bill passed, and is willing to vote cloture on the southern Senators and others who are against it—it is not a southern question, it is a national question, and I am glad to see Senators from all over the country against the bill—yet the Senator from Kentucky does not desire to tie himself up absolutely, because he knows the time may come when he will thank God for the rule of unlimited debate and of filibustering in the Senate.

Mr. President, the Senator from Kentucky has not been very consistent. He must either be in favor of cloture or he must be against it. From his statement, he seems to be for cloture at this time, but is on guard against the day in the future when he himself might wish to take advantage of the right of unlimited debate. This position may be understood, but the Senator did not leave his argument there. He goes on to say that he is opposed to the filibuster in such a way that he can never engage in such a practice without standing condemned by his own statement. He said that the filibuster is "unjustifiable and indefensible" and he spoke without qualifications. Therefore, it is certainly correct to assume that the Senator denounces every filibuster which has ever occurred in this body throughout its history. Let us look at the record and see what the filibusters of the past have been, and just what the Senator from Kentucky has condemned without reservation.

Mr. MORSE. Mr. President, will the Senator from Mississippi yield?

Mr. BILBO. I yield.

Mr. MORSE. I ask the Senator to yield only for the purpose of permitting me to comment upon another possible interpretation of the majority leader's remarks. I think it is quite possible to make a different interpretation, namely, that what the majority leader intended to say, and meant to leave with the Senate, was that he felt that the time for filing a cloture petition should be left to the merits of each individual case. I do not find anything in his language which indicates that he is not in favor of cloture. I would judge from his remarks that he is in favor of cloture whenever he is satisfied that all possible legitimate debate on the merits of an issue has stopped and that a filibuster has started.

Mr. BILBO. I shall be glad to have the Senator from Oregon take the floor and defend the majority leader whenever he sees fit to do so.

As I have previously stated, the first filibuster may be said to have occurred in 1790. The use of the "previous question" was possible in the Senate until 1807. This technique was seldom invoked, and even after it was abandoned there was no filibuster of major importance until 1841. From 1841 until 1923

some 26 filibusters were carried on in the Senate. These have been listed, and I wish to read them into the Record so that the public may know that the filibuster against FEPC is not the only filibuster that has occurred.

I read now from Outstanding Senate Filibusters, From 1841 to 1923.

In 1841 a bill to remove the Senate printers was filibustered against for 10 days.

In 1841, again, a bill relating to the Bank of the United States was filibustered for several weeks and caused Henry Clay to introduce his cloture resolution.

In 1846 the Oregon bill was filibustered for 2 months.

The trouble is that the FEPC'ers wanted to file a petition for cloture the first 3 or 4 days we commenced to talk about this damnable bill.

Here we find that Senators filibustered for 2 months on the Oregon bill, which affected the State from which my good friend Senator MORSE comes.

In 1863 a bill to suspend the writ of habeas corpus was filibustered.

In 1876 an Army appropriation bill was filibustered against for 12 days, forcing the abandonment of a rider which would have suspended existing election laws.

In 1880 a measure to reorganize the Senate was filibustered from March 24 to May 16—by an evenly divided Senate—until two Senators resigned, giving the Democrats a majority. God Almighty came to the rescue.

In 1890 the Blair education bill was filibustered.

In 1892 the "force bill," providing for Federal supervision of elections, was successfully filibustered for 29 days. This resulted in the cloture resolution introduced by Senator Aldrich, which was also filibustered, and the resolution failed.

In 1893 an unsuccessful filibuster, lasting 42 days, was organized against a bill for the repeal of the Silver Purchase Act.

In 1901 Senator Carter successfully filibustered a river and harbor bill because it failed to include certain additional appropriations.

In 1902 there was a successful filibuster against the tri-State bill, proposing to admit Oklahoma, Arizona, and New Mexico to statehood, because the measure did not include all of Indian territory according to the original boundaries.

In 1903 Senator Tillman, of North Carolina, filibustered against a deficiency appropriation bill because it failed to include an item paying his State a war claim. The item was finally replaced in the bill.

In 1907 Senator Stone filibustered against a ship subsidy bill.

In 1908 Senator La Follette led a filibuster lasting 28 days against the Vreeland-Aldrich emergency currency law. The filibuster finally failed.

This was the Senator La Follette who was father of our Bob.

In 1911 Senator Owen filibustered a bill proposing to admit New Mexico and Arizona to statehood. The House had accepted New Mexico, but refused Arizona because of her proposed constitution. Senator Owen filibustered against the admission of New Mexico until Arizona was replaced in the measure.

In 1911 the Canadian reciprocity bill passed the House and failed through a filibuster in the Senate. It passed Congress in an extraordinary session, but Canada refused to accept it.

In 1913 a filibuster was conducted against the omnibus public building bill by Senator Stone, of Missouri, until certain appropriations for his State were included.

In 1914 Senator Burton, of Ohio, filibustered against a river and harbor bill for 12 hours.

In 1914 Senator Gronna filibustered against acceptance of a conference report on an Indian appropriation bill.

In 1914 also the following bills were debated at great length, but finally passed: Panama Canal tolls bill, 30 days; Federal Trade Commission bill, 30 days; Clayton amendments to the Sherman Act, 21 days; conference report on the Clayton bill, 9 days. Almost the whole year was spent on filibusters.

In 1915 a filibuster was organized against President Wilson's ship-purchase bill by which German ships in American ports would have been purchased. The filibuster was successful and as a result three important appropriation bills failed.

In 1917 the armed ship bill of President Wilson was successfully filibustered and caused the defeat of many administration measures. This caused the adoption of the Martin resolution embodying the President's recommendation for a change in the Senate rules regarding limitation of debate.

Here comes rule XXII, which is the present cloture rule. This is the first time we had it, and it came about because of a very bitter fight which occurred during the war in 1917.

In 1919 a filibuster was successful against an oil and mineral leasing bill, causing the failure of several important appropriation bills and necessitating an extraordinary session of Congress.

In 1921, in January, the emergency tariff bill was filibustered against, which led Senator Penrose to present a cloture petition. The cloture petition failed, but the tariff bill finally passed.

In 1922 the Dyer antilynching bill was successfully filibustered against by a group of southern Senators.

In 1923 President Harding's ship subsidy bill was defeated by a filibuster.

I wish to add that on November 23, 1942, another anti-poll-tax bill was filibustered against. Cloture petition was filed, but failed to be adopted.

On May 15, 1944, an anti-poll-tax bill was filibustered against and the vote for cloture was lost.

Those two cases are in addition to the ones I have just read from the compilation I have before me.

Since 1923 there have been several filibusters of importance. In 1935, and again in the latter part of 1937, and again in 1938, the antilynching bill was the cause of long filibusters. The efforts to cram this piece of legislation down the throats of the Southern States were resisted by the southern Senators with all the strength at their command. This attempt to coerce the South, invade the rights of the sovereign States, and humiliate the southern people would surely

have succeeded had it not been for the weapon of unlimited debate which was repeatedly handled so successfully that the measure never came to a vote. The group conducting these filibusters surely agreed with the late John Sharp Williams, of Mississippi, who, when speaking in 1923 against the ship subsidy bill, made the statement that Senators were "ambassadors of the States in Congress," with the duty to protect the rights of the States, particularly "wherever a great, vital, fundamental constitutional question is presented and a majority is trying to override the organic law of the United States."

I believe the Senator from Idaho [Mr. TAYLOR] said yesterday that he would not make such a fight; that he would vote for cloture. That is the reason I said I would not vote for him for reelection.

It was in the antilynching filibuster in January 1938 that the Senator from Louisiana [Mr. ELLENDER] made the longest speech yet delivered on the floor of the United States Senate. The Senator from Louisiana alone consumed most of the hours in the sessions for six calendar days. It was while this filibuster was in progress, that the then Republican leader, Senator McNary, announced that he would vote against cloture. This distinguished Senator said that every Republican except two were for the bill and that they were willing "to remain here from sunrise to evening star and from evening star to sunrise in order to have the bill passed. But, Mr. President, I am not willing to give up the right of free speech and full, untrammelled opportunity for argument. That right is the last palladium, it is the last impregnable trench for those who may be oppressed or who are about to be oppressed, it may be the last barrier to tyranny."

Those were the words of the late Senator from Oregon. I loved Senator McNary. He was the leader on the Republican side, but he was one of the sweetest characters I have ever known. I believe I am the last Senator who talked to him before he went to the hospital to die. I loved him like a brother. He was such a sweet, gentle, congenial, affable man, and he was true to his country. He was patriotic.

I wish to read again what he said respecting cloture. This distinguished Senator said that every Republican except two were for the bill and that they were willing "to remain here from sunrise to evening star and from evening star to sunrise in order to have the bill passed."

They were that strong for the legislation. Then said Senator McNary:

But, Mr. President, I am not willing to give up the right of free speech and full, untrammelled opportunity for argument. That right is the last palladium; it is the last impregnable trench for those who may be oppressed or who are about to be oppressed; it may be the last barrier to tyranny.

In this instance cloture was rejected by a vote of 51 nays and 37 yeas.

Mr. President, no man ever made a stronger statement against cloture than did Senator McNary at that time. He was then leader on the Republican side.

It is interesting to note the length of other speeches which have approached

that of the Senator from Louisiana [Mr. ELLENDER]. The following speeches were made during the period beginning in 1890 up until 1938.

1890: Senator C. J. Faulkner on the force bill, 13 hours.

1893: Senator W. V. Allen on the silver purchase clause of the Sherman Act, 14 hours.

1914: Senator T. E. Burton on the river and harbor bill, 12 hours and 10 minutes.

1915: Senator Reed Smoot on the ship purchase bill, 11 hours, 25 minutes.

1915: Senator W. L. Jones on the ship purchase bill, 13 hours, 55 minutes.

1918: Senator Robert La Follette, Sr., on the National Banking Act, 18 hours, 23 minutes.

Up to the time the Senator from Louisiana [Mr. ELLENDER] spoke Senator La Follette held the record.

1935: Senator Huey Long on the extension of the NRA, 15 hours, 35 minutes.

1938: Senator ELLENDER on the antilynching bill, 25 hours.

The following are some examples of how long major filibusters have lasted:

1879: For repeal of certain election laws, 12 days.

1890: For force bill (election laws), 29 days.

1914: Antitrust bill, 21 days.

1914: Panama Canal toll on coastwise shipping, 31 days.

1914: River and harbor bill, 32 days.

1915: Ship purchase bill, 23 days.

In 1942 and again in 1944 there were filibusters against the anti-poll-tax bill in the Senate. In this case, as it was with the antilynching bill and as it is now with the FEPC, southern Senators were fighting against the invasion of the rights of the sovereign States. Passage of the so-called anti-poll-tax bill, which incidentally is sponsored by practically the same pressure groups and organizations who are now urging passage of the FEPC, would destroy the dual system of constitutional government in this Nation, strike down the franchise laws of some of the sovereign States, and prepare the way for an all-powerful bureaucratic government on the banks of the Potomac. Without the weapon of the filibuster, there is no doubt that the unconstitutional, un-American bill would have passed.

Again, during the filibuster against the anti-poll-tax bill, the Senate refused to invoke cloture and cut off debate.

The filibuster is a great saving to the people. As I stated the other day, I threatened a 30-day filibuster, filibustered for 2 days, and saved the taxpayers \$500,000,000 on the land-grant railroad bill. I am prepared to make the statement that I hope to save them \$4,400,000,000 when it is proposed to take that much money out of the pockets of the American taxpayers and lend it to Great Britain, which will mean that we must lend Russia \$6,000,000,000; France will have to have two or three billion dollars; Belgium will have to have some, and all the other European countries will want loans. I am willing to be a cousin to the British. I am in favor of the good-neighbor policy. I am pro-British, but I am tired of the idea of being a Santa

Claus to the British, and I am ready to filibuster if I can get some help.

There have been few cloture rules of any type adopted by the United States Senate. The Senate has always cherished and protected the right of freedom of debate. It is safe to say that had it not been for conditions during the perilous days of World War I we would have had no cloture rule in the Senate today. In order that we may understand the present-day rule and the background for it, I should like to refer to a historical analysis entitled "Legislative History of Cloture Rules in the Senate."

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. BILBO. I am glad to yield.

Mr. HATCH. The Senator has just made an observation which it seems to me is a threat—namely, that he intends to engage in a filibuster when the British loan bill comes before the Senate.

Mr. BILBO. If it is necessary.

Mr. HATCH. I merely wish to say this to the Senator: Some people have sympathized with fights which were made when certain rights were being invaded. But if the Senator from Mississippi or any other Senator uses the weapon of filibuster indiscriminately and on every occasion, simply because he can talk without limit, he will find that the Senate will rise up, and that the right of free and unlimited debate will be destroyed in the Senate of the United States.

Mr. BILBO. With all due deference to the Senator from New Mexico, when the Senator from Mississippi needs a father to advise him he will be glad to put the Senator from New Mexico on his pay roll.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. HATCH. The Senator engages in threats to the Senate on many occasions, and I think it is high time that he seek some advice, fatherly or otherwise.

Mr. BILBO. I would not go to New Mexico to get it.

I have a right to express my views about the \$4,400,000,000 loan. If the Senator from New Mexico wishes to let the British have it, when we all know that they do not mean to pay back a cent of it, that is his business. If we have that much money to throw away, why not spend it on the GI boys? Let us spend it on our own people. We have poor people all over the country who need the money. If the Senator wishes to spend it in the way which is proposed, it is his right to support such a measure. However, I do not take that position; and if I wish to announce that I am ready to fight until hell freezes over, that is my business.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BILBO. No; I will not yield further to the Senator.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a historical analysis entitled "Legislative History of Cloture Rules in the Senate." It is very brief, but it is a part of this discussion, and I should like to make it a part of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. MORSE. Mr. President, reserving the right to object, I am sorry that I did not hear the request of the Senator from Mississippi. Will he repeat his request?

Mr. BILBO. I asked unanimous consent to have printed in the Record at this point as a part of my remarks a historical statement with regard to cloture rules in the Senate. I wish to make it a part of my remarks.

Mr. MORSE. I should be very much interested to hear it read. I object.

Mr. BILBO. Evidently the Senator was not listening, or he would have heard what I said about it. Why does not the Senator frankly say that he wishes to make me read it? The Senator does not wish to hear it. I do not believe the Senator has ever read it. Perhaps I had better read it for his benefit.

LEGISLATIVE HISTORY OF CLOTURE RULES IN THE SENATE

INTRODUCTION

In 1604, the practice of limiting debate in some form was introduced in the British Parliament by Sir Henry Vane. It became known in parliamentary procedure as the "previous question" and is described in section 34 of Jefferson's Manual of Parliamentary Practice, as follows:

"When any question is before the House, any Member may move a previous question, whether that question (called the main question) shall now be put. If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter."

In 1778, the Journals of the Continental Congress also show that the "previous question" was used. Section 10 of the Rules of the Continental Congress reading: "When a question is before the House no motion shall be received unless for an amendment, for the previous question, to postpone the consideration of the main question, or to commit it." In the British Parliament and the Continental Congress the "previous question" was not used to limit debate but to avoid a vote on a given subject.

"PREVIOUS QUESTIONS" IN THE SENATE

1789: At the establishment of our Government, debate was practically unlimited in the Senate, "the restraints placed upon it being slight and seldom enforced. They were that no motion should be debated until seconded, that the decision of all questions of order should be made by the President without debate, and that no Member should speak more than twice in any one debate on the same day without leave of the Senate." The previous question was provided for in the first Senate rules found in the annals of the First Congress, from 1789 to 1791. Rules 8, 9, and 11 related to the "previous question," but was rarely used. Like the precedents for the rule in the British Parliament and the Continental Congress, when it was used in the early days of the Senate, it did not limit debate, but avoided a vote on a given subject. The "previous question" was debatable and was used in both legislative and executive sessions and in the trial of impeachments, but not on amendments, or in the Committee of the Whole.

1806: On March 26, 1806, when the Senate rules were revised, the reference to the "previous question" was omitted, but in that year also debate upon a motion for adjournment was forbidden.

1807: In the following year, 1807, debate on an amendment at the third reading of a bill was also forbidden and from this time

until 1840 there was no further limitations on debate in the Senate.

1841: On July 12, 1841, Henry Clay brought forth a proposal for the introduction of the "previous question," which he stated was necessary by the abuse which the minority had made of the unlimited privilege of debate.

Henry became a little impatient.

In opposing Clay's motion, Senator Calhoun said, "There never had been a body in this or any other country in which, for such a length of time, so much dignity and decorum of debate had been maintained." Clay's proposition met with very considerable opposition and was abandoned.

UNANIMOUS-CONSENT AGREEMENTS

1847: In 1847, in the Twenty-ninth Congress, the custom of securing unanimous-consent agreements for the limitation of debate was first established. The motion for unanimous consent was then used to induce the minority in the Senate to fix a day for a vote on the Oregon bill, which had been debated for 2 months.

1850: On July 27, 1850, Senator Douglas submitted a resolution permitting the use of the previous question. The resolution was debated, and laid on the table after considerable opposition had been expressed.

1862: As the business to be transacted by the Senate increased, proposals to limit debate were introduced frequently in the following Congresses, but none were adopted until the Civil War. On January 21, 1862, Senator Wade—

I believe he was from Ohio—

introduced a resolution stating that "in consideration in secret session of subjects relating to the rebellion, debate should be confined to the subject matter and limited to 5 minutes, except that 5 minutes be allowed any Member to explain or oppose a pertinent amendment." On January 29, 1862, the resolution was debated and adopted.

1868: In 1868 a rule was adopted providing that: "Motions to take up or proceed to the consideration of any question shall be determined without debate, upon the merits of the question proposed to be considered." The object of this rule, according to Senator Edmunds, was to prevent a practice which had grown up in the Senate, "when a question was pending, and a Senator wished to deliver a speech on some other question, to move to postpone the pending order to deliver their speech on the other question." According to Mr. Turnbull the object of the rule was to prevent the consumption of time in debate over business to be taken up. The rule was interpreted as preventing debate on the merits of a question when a proposal to postpone it was made.

1869: A resolution pertaining to the adoption of the previous question was introduced in 1869, and three other resolutions limiting debate in some form were introduced in the first half of 1870.

THE ANTHONY RULE

1870: On December 6, 1870, in the third session of the Forty-first Congress, Senator Anthony, of Rhode Island, introduced the following resolution: "On Monday next, at 1 o'clock, the Senate will proceed to the consideration of the Calendar and bills that are not objected to shall be taken up in their order; and each Senator shall be entitled to speak once and for 5 minutes, only, on each question; and this order shall be enforced daily at 1 o'clock till the end of the Calendar is reached, unless upon motion, the Senate should at any time otherwise order." On the following day, December 7, 1870, the resolution was adopted. This so-called Anthony rule for the expedition of business was the most important limitation of debate yet adopted by the Senate. The rule was interpreted as placing no re-

straints upon the minority, however, inasmuch as a single objection could prevent its application to the subject under consideration.

1871: On February 22, 1871, another important motion was adopted which had been introduced by Senator Pomeroy and which allowed amendments to appropriation bills to be laid on the table without prejudice to the bill.

1872: On April 19, 1872, a resolution was introduced, "that during the remainder of the session it should be in order, in the consideration of appropriation bills, to move to confine debate by any Senator, on the pending motion to 5 minutes." On April 29, 1872, this resolution was finally adopted, 33 yeas to 13 nays. The necessity for some limitation of debate to expedite action on these annual supply measures caused the adoption of similar resolutions at most of the succeeding sessions of Congress.

1873: On March 1873, Senator Wright submitted a resolution reading in part that debate shall be confined to and be relevant to the subject matter before the Senate, etc., and that the previous question may be demanded by a majority vote or in some modified form. On a vote in the Senate to consider this resolution the yeas were 30 and the yeas 25.

1880: From 1873 to 1880 nine other resolutions were introduced confining and limiting debate in some form. On February 3, 1880, in the second session of the Forty-sixth Congress, the famous Anthony rule, which was first adopted on December 7, 1870, was made a standing rule of the Senate as rule VIII. In explaining the rule Senator Anthony said: "That rule applies only to the unobjected cases on the calendar, so as to relieve the calendar from the unobjected cases. There are a great many bills that no Senator objects to, but they are kept back in their order by disputed cases. If we once relieve the calendar of unobjected cases, we can go through with it in order without limitation of debate. That is the purpose of the proposed rule. It has been applied in several sessions and has been found to work well with the general approbation of the Senate."

AMENDMENTS TO ANTHONY RULE

1881: On February 16, 1881, a resolution to amend the Anthony rule was introduced. This proposed to require the objection of at least five Senators to pass over a bill on the calendar. The resolution was objected to as a form of "previous question," and defeated. Senator Edmunds, in opposing the resolution, said: "I would rather not a single bill shall pass between now and the 4th day of March than to introduce into this body, which is the only one where there is free debate and the only one which can under its rules discuss fully. I think it is of greater importance to the public interest in the long run and in the short run that every bill on your calendar should fall than that any Senator should be cut off from the right of expressing his opinion * * * upon every measure that is to be voted upon here."

1882: On February 27, 1882, the Anthony rule was amended by the Senate, so that if the majority decided to take up a bill on the calendar after objection was made, that then the ordinary rules of debate without limitation would apply. The Anthony rule could only work when there was no objection whatever to any bill under consideration. When the regular morning hour was not found sufficient for the consideration of all unobjected cases on the calendar, special times were often set aside for the consideration of the calendar under the Anthony rule.

1882: On March 15, 1882, a rule was considered whereby "a vote to lay on the table a proposed amendment shall not carry with it the pending measure." In reference to this rule Senator Hoar (Massachusetts, R.), said: "Under the present rule, it is in the

power of a single member of the Senate to compel practically the Senate to discuss any question whether it wants to or not and whether it be germane to the pending measure or not. * * * This proposed amendment to the rules simply permits, after the mover of the amendment, who, of course, has the privilege, in the first place, has made his speech, a majority of the Senate, if it sees fit, to disavow that amendment from the pending measure and to require it to be brought up separately at some other time or not at all." This proposed rule is now rule XVII, of the present standing rules of the Senate.

1883: On December 10, 1883, Senator Frye, of Maine, chairman of the Committee on Rules, reported a general revision of the Senate rules. This revision included a provision for the "previous question." Amendments in the Senate struck this provision out.

ADOPTION OF PRESENT RULES

1884: On January 11, 1884, the present Senate Rules were revised and adopted.

On March 19, 1884, two resolutions introduced by Senator Harris were considered and agreed to by the Senate, as follows:

1. "That the eighth rule of the Senate be amended by adding thereto: 'All motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate.'"

2. "That the tenth rule of the Senate be amended by adding thereto: 'And all motions to change such order or to proceed to the consideration of other business shall be decided without debate.'"

Now I wish to make some observations.

The first of the two rules I have just read is the one under which we are now operating. It is part of rule VIII, and reads as follows:

All motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate.

Mr. President, I myself think that is a horrible rule. I think it is wrong, and I think it should be changed. If the Senate takes a recess one evening, when it meets the next day a motion to take up a bill is debatable. But if the Senate adjourns at the end of one day and meets the next day at noon, if a Senator then moves, between the hours of 12 and 2, to take up a bill, the motion is not debatable.

Now I read further from the article entitled "Legislative History of Cloture Rules in the Senate":

From this time until 1890 there were 15 different resolutions introduced to amend the Senate rules as to limitations on debate, all of which failed of adoption.

1890: On December 29, 1890, Senator Aldrich introduced a cloture resolution in connection with Lodge's force bill, which was being filibustered against. The resolution read, in part, as follows: "When any bill, resolution, or other question shall have been under consideration for a considerable time, it shall be in order for any Senator to demand that debate thereon be closed. On such demand no debate shall be in order, and pending such demand no other motion, except one motion to adjourn, shall be made." There were five test votes on the cloture proposal which "commanded various majorities, but in the end it could not be carried in the Senate because of a filibuster against it which merged into a filibuster on the force bill."

1893: In 1893 nine resolutions were introduced limiting debate, but none of them were passed.

1911: April 6, 1911, Senator Root, of New York, submitted a resolution requesting the

Committee on Rules to suggest an amendment to the Senate rules whereby the Senate could obtain more effective control over its procedure. No action was taken on the resolution.

1915: February 8, 1915, Senator Reed, of Missouri, introduced a resolution to amend rule XXII whereby debate on the ship purchase bill, "S. 6845 shall cease, and the Senate shall proceed to vote thereon * * *." The resolution did not pass in this session.

1916: From December 1915 to September 8, 1916, the first or long session of the Sixty-fourth Congress, there were five resolutions introduced to amend rule XXII. The resolutions acted upon were Senate Resolution 131 and Senate Resolution 149. On May 16, 1916, the Committee on Rules reported out favorably Senate Resolution 195 as a substitute for Senate Resolution 131 and Senate Resolution 149, which had been referred to it, and submitted a report (No. 447). The resolution was debated but did not come to a vote.

1917: March 4, 1917, President Wilson made a speech in which he referred to the armed ship bill, defeated by filibustering. The President said in part: "The Senate has no rules by which debate can be limited or brought to an end, no rules by which debating motions of any kind can be prevented. * * * The Senate of the United States is the only legislative body in the world which cannot act when its majority is ready for action. * * * The only remedy is that the rules of the Senate shall be altered that it can act." (See Washington Post, March 5, 1917.)

1917: On March 5, 1917, the Senate was called in extraordinary session by the President because of the failure of the armed ship bill in the Sixty-fourth Congress.

AMENDMENT TO RULE XXII

On March 7, 1917, Senator Walsh, of Montana, Democrat, introduced a cloture resolution (S. Res. 5) authorizing a committee to draft a substitute for rule XXII, limiting debate. Senator Martin also introduced a resolution amending rule XXII similar to S. 195, favorably reported by the Committee on Rules in the Sixty-fourth Congress. The Martin resolution was debated at length and adopted March 8, 1917, 76 yeas, 3 nays, as the present amendment to rule XXII.

That is when the Senate surrendered in part its right to be a forum in which it was possible to have free and unlimited debate and discussion on legislative matters.

I read further:

1918: On May 4, 1918, Senator Underwood introduced a resolution (S. Res. 235) further amending rule XXII, reestablishing the use of the "previous question" and limiting debate during the war period.

On May 31, 1918, the Committee on Rules favorably reported out Senate Resolution 235 with a report (No. 472).

June 3, 1918, the Senate debated the resolution and Senator Borah offered an amendment.

June 11, 1918, the Senate further debated the resolution and unanimous agreement was reached to vote on the measure.

June 12, 1918, the resolution was further amended, by Senator Cummins.

June 13, 1918, the Senate rejected the resolution, yeas, 41; and yeas, 34. (See CONGRESSIONAL RECORD, June 13, 1918, p. 7728.)

1921: From March 4, 1921, to March 4, 1923, during the sixty-seventh Congress, five resolutions were introduced to limit debate in some form. These were referred to the Committee on Rules.

1922: On November 29, 1922, upon the occasion of the famous filibuster against the Dyer antilynching bill, a point of order was raised by the Republican floor leader against

the methods of delay employed by the obstructionists which, had the Chair sustained it, would have established a significant precedent in the Senate as it did in the House. The incident occurred as follows:

Immediately upon the convening of the Senate, the leader of the filibuster made a motion to adjourn. Mr. Curtis made the point of order that under rule III no motion was in order until the Journal had been read. He also made the additional point of order that the motion to adjourn was dilatory. To sustain his point, Mr. Curtis said, "I know we have no rule of the Senate with reference to dilatory motions. We are a legislative body, and we are here to do business and not to retard business. It is a well-stated principle that in any legislative body where the rules do not cover questions that may arise general parliamentary rules must apply."

"The same question was raised in the House of Representatives when they had no rule on the question of dilatory motions. It was submitted to the Speaker of the House, Mr. Reed. Mr. Speaker Reed held that, notwithstanding there was no rule of the House upon the question, general parliamentary law applied, and he sustained the point of order." (See *Hind's Precedents*, p. 358.)

The Vice President sustained Mr. Curtis' first point of order in regard to rule III, but did not rule on the point that the motion was dilatory.

1925: On March 4, 1925, the Vice President, Charles G. Dawes, delivered his inaugural address to the Senate, in which he recommended that debate be further limited in the Senate.

On March 5, 1925, Senator Underwood introduced the following cloture resolution (S. Res. 3) embodying the Vice President's recommendation on further limitation of debate, which was referred to the Committee on Rules:

"Resolved, That the rules of the Senate be amended by adding thereto, in lieu of the rule adopted by the Senate for the limitation of debate on March 8, 1917, the following:

"1. There shall be a motion for the previous question which, being ordered by a majority of Senators voting, if a quorum be present, shall have the effect to cut off all debate, and bring the Senate to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after previous question shall have been ordered on its passage, for the presiding officer to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

"2. All motions for the previous question shall, before being submitted to the Senate, be seconded by a majority by tellers if demanded.

"3. When a motion for the previous question has been seconded, it shall be in order, before final vote is taken thereon, for each Senator to debate the proposition to be voted for 1 hour."

Other resolutions introduced in the first session of the Sixty-ninth Congress limiting debate were Senate Resolution 25, Senate Resolution 225, Senate Resolution 217, Senate Resolution 59, Senate Resolution 77, Senate Resolution 76, which were also referred to the Committee on Rules.

Mr. President, for the information and convenience of the Senate, I wish to have printed at this point in the RECORD the new part of rule XXII of the Senate, and I ask to have it printed at this point in the RECORD as a part of my remarks.

There being no objection, the part of rule XXII referred to was ordered to be printed in the RECORD, as follows:

If at any time a motion,¹ signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by an aye-and-nay vote the question: "Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by a two-thirds vote of those

¹As amended, Senate Journal 234, 64th Cong., 2d sess., March 8, 1917.

voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than 1 hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. BILBO. Mr. President, there has been much discussion and criticism of this cloture rule, and the RECORD shows it has seldom been used in the Senate.

From 1919 to 1944 cloture was voted on 15 times, but it was adopted only 4 times. Eleven times the petition to cut off debate in the Senate of the United States was rejected. A tabulation which I hold in my hand shows the Senate votes on invoking the cloture rule. Mr. President, I think the people of the country should have the advantage of the information this tabulation gives, for it shows just how many times a motion to impose cloture has been carried, from the adoption of the rule in 1917 up to the present time. Therefore, I ask unanimous consent to have the tabulation included at this point in the RECORD, as a part of my remarks.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Senate votes on invoking cloture rule

Date	Congress	Session	Subject	Senator offering motion	Vote		CONGRESSIONAL RECORD		Cloture
					Yeas	Nays	Volume	Page ¹	
Nov. 15, 1919	66th	1st	Treaty of Versailles	Lodge	78	16	58	8555-8556	Yes.
Feb. 2, 1921	66th	3d	Emergency tariff	Pearse	36	35	60	2432	No.
July 7, 1922	67th	2d	Fordney-McCumber tariff	McCumber	45	35	62	10040	No.
Jan. 25, 1926	69th	1st	World Court	Lenroot	68	26	67	2678-2679	Yes.
June 1, 1926	69th	1st	Migratory-bird refugees	Norbeck	46	33	67	10392	No.
Feb. 15, 1927	69th	2d	Branch banking	Pepper	65	18	68	3824	Yes.
Feb. 26, 1927	69th	2d	Retirement of disabled emergency officers of the World War	Tyson	51	36	68	4901	No.
Do.	69th	2d	Colorado River development	Johnson	32	59	68	4900	No.
Feb. 28, 1927	69th	2d	Public Buildings in the District of Columbia	Lenroot	52	31	68	4985	No.
Do.	69th	2d	Creation of Bureau of Customs and Bureau of Prohibition	Jones (Washington)	55	27	68	4986	Yes.
Jan. 19, 1933	72d	2d	Banking Act	Robinson	58	33	76	2077	No.
Jan. 27, 1938	75th	3d	Antilynching	Neely	37	51	83	1166	No.
Feb. 16, 1938	75th	3d	do.	Wagner	42	46	83	2007	No.
Nov. 23, 1942	77th	2d	Antipoll tax	Barkley	37	41	88	9065	No.
May 15, 1944	78th	2d	do.	do.	36	44	90	2550-2551	No.

¹Daily RECORD pagination.

NOTE.—The cloture rule was adopted Mar. 8, 1917, and requires a two-thirds vote in the affirmative of those voting. Senate rule XXII, U. S. Congress. Senate. Senate Manual, 75th Cong., 3d sess. S. Doc. 172. Washington. Government Printing Office, 1938, pp. 27-28.

Mr. BILBO. Mr. President, there have always been many outspoken men against any form of cloture in the United States Senate. Discussing the limitation of debate by revival of the use of the "previous question," in 1840, as proposed by Henry Clay—the motion failed—Senator Benton said:

Thus the firmness of the minority in the Senate—it may be said, their courage, for their intended resistance contemplated any possible extremity—saved the body from degradation—constitutional legislation from suppression—the liberty of speech from extinction, and the honor of republican government from a disgrace to which the people's representatives are not subjected in any monarchy in Europe. The previous question has not been called in the British House of Commons in 100 years—and never in the House of Peers.

In 1914, Senator La Follette vigorously opposed the adoption of the present cloture rule. The following are his words—and I wish to have my friend the present Senator LA FOLLETTE, of Wisconsin, read what his father then said:

Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate.

Mr. President, the liberals and progressives should listen to the father of all of them. Yet, some of them are saying

that filibustering is outrageous and disgraceful and a waste of the people's money and the people's time, and all that. I believe I had better read those words again:

Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate.

That is the cloture rule. Senator La Follette also said:

Sir, the moment that the majority imposes the restriction contained in the pending rule, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess.

That is why I was cautioning some of the people of New York. They had better help me kill this cloture business, because some day they will want to keep those of us from down South from invoking cloture against them.

I read further from the words of the late Senator La Follette:

He championed the constitutional right . . . reposed in a Member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support.

Some persons do not seem to realize that Senators take an oath when they become Members of this body.

Although the cloture rule adopted in 1917 has seldom been used, there have been movements since that time to further limit debate in the United States Senate. In 1925, Vice President Dawes advocated in his inaugural address that there be placed further limitation on debate in the Senate. His proposal, which provided for a strict form of cloture, caused much discussion but was never adopted.

Mr. Dawes was a very fine businessman, but he was not versed in the science of government. He was just here, that is all.

I have before me an article on this proposal which is of special interest, and which presents many favorable arguments for unlimited debate, as well as a number of statements from outstanding Senators who opposed the suppression of free and full debate in the Senate. The author is Lynn Haines and his article entitled "The A B C of Cloture for the Senate" appeared in the publication The Searchlight on Congress in May 1925.

Mr. President, I wish to invite attention of the Senate to statements which have been made by outstanding citizens and former Members of this body on the question of cloture. Let us consider a statement which was made by the late

Senator Borah, of Idaho. Senator Borah summed up the matter in these words:

I do not know what changes Vice President Dawes proposes with reference to the Senate rules. I have not seen any statement which he has made indicating just what he has in mind. In a general way it seems that he would adopt strict cloture. I am opposed to cloture in any form.

This is Senator Borah speaking:

I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and debate. There is nothing in which sinister and crooked interests, seeking favorable legislation, are more interested right now than in cutting off discussion in Washington. If they can succeed in reducing the situation to a point where they only have to see one or two men, either to put through or kill a measure, they are masters of the situation. I am opposed to it in any shape or form.

Mr. President, I have read from a statement by the late Senator Borah, of Idaho. He has since passed to his reward. He was one of the outstanding Members of this body. He was respected by every Member of the Senate, regardless of whether they were Democrats or Republicans. Senator Borah was an independent thinker. He was a great constitutional lawyer. He was a great statesman and was always looking ahead in the interests of the people. He said that under no condition would he ever vote for cloture. I will reread a part of his statement. He said:

If they can succeed in reducing the situation to a point where they only have to see one or two men either to put through or kill a measure, they are masters of the situation. I am opposed to it in any shape or form.

In other words, Senator Borah's idea was that if there were a desire that the Senate pass a certain bill, the majority of the Senators should be convinced of its merits. He believed that it should not be possible to go to the White House, for example, and get Harry Truman to pass a bill. He believed that it should not be possible for proponents of a bill to see, for example, the majority leader of the Senate, who is now the Senator from Kentucky [Mr. BARKLEY] and invoke his aid. He alone cannot pass the bill. Neither can the minority leader, the Senator from Maine [Mr. WHITE]. Mr. President, what this body needs is more independent thought and action. When the Senate exercises those prerogatives, service will be given to the people, and their rights will be protected. In politics, Senator Borah was a Republican.

Mr. President, let us see what Senator Couzens of Michigan had to say on the same subject.

While I am a comparatively new Member and not a good parliamentarian, it seems to me that rule XXII, as amended March 8, 1917, is sufficient cloture.

It will be seen that Senator Couzens was referring to Mr. Dawes' suggestion to revolutionize the rules of the Senate.

When the importance of the occasion seems to demand it, all that has to be done is: Sixteen Senators making such a motion,

same being approved by two-thirds of the Senate, they can prevent a filibuster. Two-thirds of the Senate should be required, otherwise the majority might ride rough-shod over the minority at any time.

Mr. Dawes has not pointed out any real injury that has occurred to the country because of the rules he complains about. I would be interested in specific information of the damage that has been done.

Mr. President, I merely wanted to bring out that one point. Mr. Dawes did not show that any great harm had been done, or that any great need existed for a change in the Senate rules. He wanted merely to railroad through a change in the rules.

A bill is now pending before the Senate. I am afraid to say what should be done about it, because I might offend the Senator from New Mexico who is not, by the way, now present in the chamber.

The railroads are sponsoring a bill which is known in the South as the Bulwinkle bill. It is now pending before a Senate committee. The railroads would rather have that bill enacted into law than any bill which they have ever sponsored before the Congress, because it is a bill to bathe them, and wash them, and do other things which would be in violation of the antitrust laws. There is no doubt about it; they would like to have the bill enacted into law. At some time in the future, before it becomes a law, I will talk about it more at length.

Here is a statement which was made by the present President pro tempore of the Senate, the distinguished Senator from Tennessee [Mr. McKELLAR]. He said:

I have served nearly 6 years in the House and more than 8 years in the Senate. I am familiar with the rules of both bodies. I believe the present rules of the Senate make for greater efficiency, make for better legislation, make for the better carrying out of the people's will than do the rules of the House. In the House, the previous question can be called for at any time, debate stopped, and a vote had. In other words, the party in power can pass any measure without debate and without public scrutiny. It is well to know that many bills are thus passed in the House. I do not believe that this unlimited right of cloture is best for the public weal. As a matter of fact, all of the legislation in the House is agreed upon by a few men occupying leading positions in the House, and the great body of Members is denied freedom of speech and action. All they can do is to get leave to print in the Record.

I say this not in criticism of the House or any of its Members, for I have served in the House and enjoyed my service, and its membership is of the highest character and quality of statesmanship. But, when a bill gets to the Senate, the situation is entirely changed. No bill can get through the Senate until it has undergone a season in the limelight. Any one of the 96 Senators can speak on it, hold it up to the public gaze, dissect it, and scrutinize it. If it is a bad bill, the public knows it. It cannot be put through in star-chamber proceedings. Secrecy is not the rule in the Senate, not even in executive session. Nor can one man hold up legislation indefinitely, as has been erroneously stated.

Of course, no one can make a statement of that kind who is familiar with the rules of the Senate. The present rules provide that 16 Senators can bring a measure to a vote at any time they petition the Vice President to that end. A vote can be had the next day, and debate can be limited at the same time.

Mr. CHAVEZ. Mr. President, will the Senator yield.

Mr. BILBO. I yield.

Mr. CHAVEZ. Does the Senator believe that merely because 16 Members of this body may petition for cloture, that that alone would result in an expression of the majority rule of the Senate? Is it not true that a two-thirds vote of the Senate would be required in order to make it effective?

Mr. BILBO. Yes; and sometimes two-thirds of the Senate might be wrong.

Mr. CHAVEZ. Yes; but cloture would give eventually to the majority a chance to express its opinion.

Mr. BILBO. I think that time should be the only treatment to give to bad legislation, and therefore I am opposed to cloture.

Mr. CHAVEZ. Then the Senator is wrong when he states that no one can stop a vote in the Senate.

Mr. BILBO. I was reading what had been said by the Senator from Tennessee.

Mr. CHAVEZ. Oh, the Senator is reading what the Senator from Tennessee has said.

Mr. BILBO. Oh, yes.

Mr. CHAVEZ. And the Senator from Mississippi does not agree with it.

Mr. BILBO. No. I am not so easily led.

Senator Thaddeus Caraway, of Arkansas, also made statements to that effect, and I shall be glad to include all those statements in the Record as a part of my remarks, because they are very informative to the Senate and to the country. I am making these remarks more for the purpose of setting the country right on the question of cloture than for any other purpose.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

There being no objection, the matters were ordered to be printed in the Record, as follows:

Vice President Dawes has made and is making a vicious assault upon the rules of the Senate.

The objective of the Dawes attack is a more arbitrary exercise of cloture.

Cloture means the power to stop discussion.

It means not only the power to stop discussion, but also the power to prevent amendments.

Such powers always gravitate into the hands of a dominant group, usually a very small number of Members.

Strict cloture, such as the House has, invariably and inevitably operates to set up a boss system. It has no other purpose, and can have no other result.

Cloture would establish an absolute boss control of the Senate, nullifying deliberation as completely as that is possible.

In this respect the Senate would become like the House, with both branches sinking far below the present level of either.

A machine cannot exist without cloture, or gag rules. Given a drastic control over debate and amendments, a few leaders attain dominance. Their program, whatever it is, can easily be carried out, and any other as readily be defeated.

Instead of stating this crucial truth about the real objects of cloture, Dawes has advanced two excuses for his advocacy of a gag-rule system, both fallacious, and camouflaged to attract the unthinking.

He professes to seek cloture as a cure for the filibuster. The present rule XXII provides adequately against filibusters, so far as that practice can be or should be eliminated without recourse to fundamental remedies, such as abolishing the short session and removing the causes of congestion.

He raises the issue of minority strength under freedom of debate, whereas cloture would at once place czaristic power in an even smaller number of machine leaders, with none of the safeguards of discussion. If the Dawes contention were carried to its logical conclusion, a dominant minority of party bosses would be supreme, and all independence, all real deliberation, would disappear.

The demand for cloture always comes (as in this case), not from within the Senate, but is sponsored by executive influences, because—

Cloture for the Senate would establish an administration machine and invest it with boss power to determine every issue. It would mean executive domination of the legislative branch of the Government.

That is the nub of the whole matter.

Throughout the world today there is a rapidly moving tendency to discredit and diminish the powers of parliaments. The intent and results of this are obvious. Every successful assault upon the lawmaking branch of government is attended by a shifting of prestige and privilege, both political and economic, to those on the executive side.

Regardless of the form or occasion of these attacks upon parliamentary bodies, whether the immediate objective be bolshevism, fascism, bureaucracy, or boss ascendancy, the sequel is inevitably a dangerous development toward a personal dictation of public affairs. It is a harking back to the dark days of kingcraft. It means, in America at least, the most menacing of all perversions—that politicians shall be given every opportunity to become despotic, with no functioning agency of checks and balances.

Here the movement has progressed to a point where but a single obstacle stands out against the absolutism of ruling class power. Administration predominance is already established in all fields save one—the National Legislature. There executive domination is hindered solely by the fact that its traditional freedom of debate renders the Senate uncontrollable.

Cloture would change all that. It would remove the last obstruction to bossism throughout the public affairs of the Republic.

The Dawes proposal, therefore, brings us face to face with the final test of whether or not our representative system is to endure. The issue cannot be camouflaged to hide the hideous truth. Cloture for the Senate would mean abject, boss-controlled subservience on the part of the lawmaking branch. Instead of a government "deriving its powers from the consent of the governed," it would completely be malformed into a perpetual condition whereby "the consent of the governors" would prevail.

The legislative branch of the Government has fallen far below the level of safety for American institutions. The remedy is not further to degrade it, by destroying its last vestige of independence, but to life it above the bossism that already exists, to make it less, rather than more, amenable to dictation from other sources.

The American people are jealous of their liberties. They are sound and sensible. There is little likelihood of a popular stampede on an utterly false issue, particularly when the proposal is ultraradical and revolutionary.

Moreover, the present Senate seems certain to stand like adamant against any abandonment of its most fundamental safeguard.

Opposing Dawes, a formidable force of thoughtful, conscientious Senators is already in action.

Borah, Norris, Brookhart, Couzens, and other independent Republicans are vigorously against a further abridgment of deliberation.

Moses, one of the Old Guard who doubtless expresses the attitude of numerous regulars, has openly ridiculed the Dawes attack.

Robinson, the accredited Democratic leader, has taken the public platform in opposition to such a Bolshevistic change as Dawes suggests.

Practically all of the Democratic Senators, the entire progressive group, and a considerable number of strict party Republicans will be against the Vice President. The Dawes proposal, therefore, is foredoomed to failure. But because it raises a question of fundamental significance, one that strikes at the very vitals of Americanism, the people should be fully informed as to the meaning of the controversy in all its important aspects.

The previous question: That is Underwood's idea, and his ideal, of cloture.

It is undoubtedly what the Dawes supporters want in preference to any other instrumentality of suppression, only they have not the fearlessness openly to advocate a device so utterly destructive of deliberation as this would be.

The power "to move the previous question," then, may fairly be stated as the objective of the Dawes proposal. The end to be attained, from the viewpoint of the administration machine, is a gag-rule system. A single change in the rules would bring about such a system. Nothing else need be done excepting to empower the dominant leadership to make a motion for the previous question.

That, when carried, closes discussion. What is vastly more important to the bosses, it shuts off amendments. Whatever the parliamentary situation, regardless of whether or not a measure has been adequately debated, and irrespective of the number of Members who may desire to present amendments, the adoption of a motion for the previous question stops everything save action upon the matter as it was pending when the motion was made.

The fundamental difference between the Senate and the House lies in the fact that the former, for more than a hundred years, has resisted every attempt to assassinate discussion through "the previous question," while the latter has had a boss system based upon that mother of all gag rules.

As a result, real deliberation has prevailed in the Senate, whereas the contrary condition of almost absolute boss control has characterized the House.

Now, if the Dawes proposal, as interpreted by Underwood, were to be effectuated, it would degrade the Senate as the House has been debauched by bossism. There is no longer any real deliberation in the House, its consideration of the most important issues is rendered worse than farcical by the boss-controlled cloture that exists. But the House is made to appear far less repulsive to democracy than it actually is by the fact that deliberation does prevail in the Senate. To end freedom of debate in the upper body would at once reduce both branches to a state of servility so abject and pitiable that the American people could not do otherwise than lose all their faith in our representative institutions.

A brief bit of historical review will aid us to understand.

Years ago the parliamentary atrocities of the House came to a climax under Speaker Cannon. The bossism of that period proved

so repulsive to the American people that there was a political revolution, resulting in Democratic ascendancy.

Then, in 1911, Underwood became the dominant House figure. Cannonism gave way to Underwoodism.

Up to this time there had been but two modern parliamentary methods of machine control. One centered power in the presiding officer and reached its highest development under Cannon in the House. The other was the floor leader system used by Aldrich in the Senate.

What Underwood did, in supplanting Cannonism, was to switch systems. The Aldrich machine methods were transplanted to the House.

Aldrich was the only boss of the Senate who ever made even a beginning toward personal dominance in that body; yet he, nor his machine, was never able to dictate excepting when backed by an overwhelming number of regulars. The reason is obvious—no leader, nor any group of leaders, could control debate. Real deliberation always existed in the Senate. Therefore, even the powerful Aldrich was impotent as a boss.

On the other hand, it was idiotically futile to expect any improvement over Cannonism in the House so long as cloture was a basic feature of its procedure.

Underwoodism proved as bad, and has since become more viciously un-American, than was the more direct Cannon methods. That is solely because "gag rules" are common to both systems.

There is the key to the whole matter—cloture. And all that the bosses could ever desire as an offensive and defensive weapon is the power "to move the previous question."

Any kind of bossism will succeed with drastic cloture. No boss, or bosses, can become or remain dominant, if denied the privilege of "moving the previous question."

It seems a safe guess that somebody higher up, representing either the political or the special privilege interests involved, influenced Dawes to exercise his "hell and Maria" tactics on this subject.

There is an explanation of himself by himself in Dawes' Journal of the Great War, as follows:

"My disregard of the conventions was studied and with a purpose."

In presenting his cloture issue to the country, Dawes is disregarding more than the conventions. His whole argument is falsely founded with respect to both excuses he has offered:

He contends that cloture would cure minority rule; the actual truth is that cloture would enable the smallest possible number (not of Independents, but of bosses) to control.

He insists also that cloture is a remedy for the filibuster; as a matter of fact, almost without exception, the filibusters of the past have been wholesomely in the public interest. Moreover, Dawes completely ignores the causes of filibustering, which are a congestion of business and the short session, rather than any failure to provide cloture. Furthermore (and of this he apparently takes no account), the present rule XXII is adequate at any and all times to end a filibuster.

The other Dawes subterfuge—his complaint against the existing opportunities for a minority of independents to influence legislative situations by freedom of debate—is the vital thing.

His proposal would destroy all minority power through discussion. It would likewise gag the majority.

Instead of curing minority influence, as he ignorantly and innocently imagines, cloture would establish a regime of leadership so small in number that it could hardly be

called a minority. The result would be a little coterie of bosses, with absolute dominance in every direction.

Of course, under cloture, filibustering would be stopped. So would all real deliberation be destroyed, utterly and inevitably.

In the communications from Senators, which follow, there is proper emphasis of this crucial fact, that cloture would invest a few bosses with dominant power. Borah, in particular, stresses this result. He says that "if they [sinister and crooked interests] can reduce the situation to a point where they only have to see one or two men, either to put through or kill a measure, they are masters of the situation."

Cloture always has, and always will, mean just that—absolute and arbitrary bossism in the hands of the smallest possible number.

And invariably the real dominance would originate with "the powers that be" in executive circles.

All legislative independence would disappear in exact accordance with the diminishment of deliberation. There would be a machine; it would be an administration machine. The power of the legislative bosses would be a puppet, pawnish power, having its source in and about the Presidency.

The one or two Senators to be seen about legislation would be all-powerful because of their relations with the White House.

The mechanics of it are exceedingly simple.

Cloture is the foundation of machine rule. With that foundation established, one or two or three bosses can easily attain and exercise supremacy. They can accomplish the most arbitrary minority rule.

The party caucus can be used, employing the vicious principle of control through a majority of a majority, which means a minority of the whole membership.

A dozen different kinds of coercion are available. The leaders are in a position to take care of subservient members with local legislation; patronage favors would abound for those who proved faithful.

The A B C of cloture, then, means absolute boss control of the National Legislature, through a machine manipulated from the outside by such political or economic interests as may be dominant in the administrative field.

Were that to be accomplished, which it will not be, our whole structure of representative Government would be weakened, perhaps irreparably.

Dawes must pay the penalty of his advocacy of a change so revolutionary, so deadly dangerous to American institutions. He will pass from the picture. But others will follow. Cloture is so essential to the success of selfishness that the effort to bring it about will be continuous—so long as control of the Federal Government remains the greatest mercenary prize in all the world. Therefore, the people must never lose sight of the certain consequences of such attempts to degrade Congress, nor relax in their vigilance against them.

A great deal should be done, not to weaken, but to strengthen the American Congress. Real reforms are needed, but they should all be in the direction of greater independence and more deliberation.

THE ATTITUDE OF SENATORS

As a part of our effort to throw light upon this subject, we wrote to each Member of the Senate, asking for his view of the matter. That letter was as follows:

"This month The Searchlight on Congress will consider the proposal of Vice President Dawes with reference to a cloture rule for the Senate.

"We will greatly appreciate a statement from you as to your opinion of such a change, with the reasons for your attitude."

Congress is not in session and, of course, Senators are widely scattered. Several are in Europe; others vacationing or upon missions in out-of-the-way places. The response therefore has not been general; but a number have answered—a sufficient number to make an interesting and significant symposium by those most concerned.

These senatorial expressions on cloture require no comment.

BORAH SUMS IT UP

The proponents of cloture will have to fight Borah—probably the best debater in the Senate. There is no semblance of doubt as to his opposition, nor concerning his clear-cut conception of what it would mean to America. He writes:

"I do not know what changes Vice President Dawes proposes with reference to the Senate rules. I have not seen any statement which he has made indicating just what he has in mind. In a general way it seems that he would adopt strict cloture. I am opposed to cloture in any form. I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and debate. There is nothing in which sinister and crooked interests, seeking favorable legislation, are more interested right now than in cutting off discussion in Washington. If they can succeed in reducing the situation to a point where they only have to see one or two men, either to put through or kill a measure, they are masters of the situation. I am opposed to it in any shape or form."

COMMON SENSE FROM COUZENS

"While I am a comparatively new Member and not a good parliamentarian," writes Senator James Couzens, of Michigan, "it seems to me that rule XXII, as amended March 8, 1917, is sufficient cloture (this rule being quoted).

"When the importance of the occasion seems to demand it, all that has to be done is: 16 Senators making such a motion, same being approved by two-thirds of the Senate, they can prevent a filibuster. Two-thirds of the Senate should be required, otherwise the majority might ride roughshod over the minority at any time.

"Mr. Dawes has not pointed out any real inquiry that has occurred to the country because of the rules he complains about. I would be interested in specific information of the damage that has been done."

BROOKHART HITS THE MARK

The junior Senator from Iowa goes straight to the historical truth of the matter. Smith W. Brookhart has this to say about cloture:

"I do not think the Senate rule of unlimited debate will be materially changed. It is this rule that makes the United States Senate the one great open legislative forum in all the world.

"The rule sometimes delays good legislation, but never kills it. Good legislation always comes back, and finally wins. The rule kills a great deal of bad legislation. That class of legislation which cannot stand the light of publicity will always be killed by unlimited debate.

"The filibuster succeeds only at the end of the session or in the short session, and only against bad legislation. It cannot succeed against legislation that has merit, although it may postpone it to another session. I am informed that the Senate transacts more business with this rule of debate than the House does with its cloture rule, and that this is true in the whole history of the two Houses.

"It would be well for you to check this proposition and make an accurate statement

of it in connection with your consideration of the change of rule.

"Rule XXII is the bulwark of free speech under the Constitution of the United States, and I think there will be few Senators who favor the change. I can understand how the Wall Street financial power would want to abolish this rule, but the American people, when they understand the facts, will sustain the rule."

M'KELLAR CONTRADICTS DAWES

In a public statement, Senator KENNETH D. McKellar, of Tennessee, presents interesting comment and an analysis of the business done by both branches, as follows:

"I have served nearly 6 years in the House and more than 8 years in the Senate. I am familiar with the rules of both bodies. I believe the present rules of the Senate make for greater efficiency, make for better legislation, make for the better carrying out of the people's will than do the rules of the House. In the House the previous question can be called for at any time, debate stopped, and a vote had. In other words, the party in power can pass any measure without debate and without public scrutiny. It is well known that many bills are thus passed in the House. I do not believe that this unlimited right of cloture is best for the public weal. As a matter of fact, all of the legislation in the House is agreed upon by a few men occupying leading positions in the House and the great body of Members is denied freedom of speech and action. All they can do is to get leave to print in the Record.

"I say this not in criticism of the House or any of its Members, for I have served in the House and enjoyed my service, and its membership is of the highest character and quality of statesmanship. But, when a bill gets to the Senate, the situation is entirely changed. No bill can get through the Senate until it has undergone a season in the limelight. Any one of the 96 Senators can speak on it, hold it up to the public gaze, dissect it, and scrutinize it. If it is a bad bill, the public knows it. It cannot be put through in star-chamber proceedings. Secrecy is not the rule in the Senate, not even in executive session. Nor can one man hold up legislation indefinitely, as has been erroneously stated.

"Of course, no one can make a statement of that kind who is familiar with the rules of the Senate. The present rules provide that 16 Senators can bring a measure to a vote at any time they petition the Vice President to that end. A vote can be had the next day and debate can be limited at the same time.

"In addition to its duties as a part of the lawmaking branch of the Government, the Senate also has two other most important functions under the Constitution. The first is, it, with the President, must enact all treaties with foreign nations. The second, it must approve all of the countless thousands of important appointments to office made by the President. These two functions alone are enough to keep the Senate busy, but when, besides these, it passed many more bills than the House, which does not possess these additional functions, its efficiency is not subject to just criticism.

"In view of Vice President Dawes' recent statement that the rules of the Senate were antiquated, that the Senate does not efficiently transact its business, that the rules should be changed like those of the House so that the business of the Government might be efficiently transacted, before leaving Washington I had an expert to examine into the records for the past five Congresses—10 years—to see what business the records show the Senate had done and what business the House had done. I present the facts, which are as follows:

	64th Cong.	65th Cong.	66th Cong.	67th Cong.	68th Cong.
Number of Senate bills introduced.....	8,334	5,680	5,052	4,658	4,410
Number of Senate joint resolutions introduced.....	221	230	254	290	193
Total bills and joint resolutions.....	8,555	5,910	5,316	4,948	4,603
Number of Senate bills passed by the Senate.....	591	464	437	168	713
Number of Senate joint resolutions passed by the Senate.....	60	65	56	85	74
Total.....	651	529	493	753	787
Number of Senate bills enacted into law.....	234	152	181	289	378
Number of Senate joint resolutions enacted into law.....	29	33	27	48	53
Total.....	263	185	208	337	431
Number of House bills introduced.....	21,104	16,239	16,170	14,475	12,474
Number of House joint resolutions introduced.....	393	445	481	466	385
Total.....	21,497	16,684	16,651	14,941	12,859
Number of House bills passed by House.....	588	310	460	670	659
Number of House joint resolutions passed by House.....	39	30	52	69	34
Total.....	627	340	512	739	723
Number of House bills enacted into law.....	387	244	340	536	540
Number of House joint resolutions enacted into law.....	34	23	46	58	25
Total.....	421	267	386	594	565

CARAWAY CHALLENGES DAWES

Thaddeus H. Caraway, the scrappy Senator from Arkansas, does not mince matters in his response to our inquiry. Here is what he says:

"To be perfectly frank, I have been unable to gather from the Vice President's speeches exactly what it is he seeks. He has shown himself so lamentably without information touching the rules that it is difficult to be serious in discussing his attitude, but back of the Vice President's proposal is the real interest that he consciously or unconsciously seeks to serve. There is a demand by certain interests—and most of them sinister—to change the Senate rules so that legislation in their favor and against the interests of the majority of the people may be jammed through Congress before an opportunity has been afforded to thoroughly examine and expose the purposes of the legislation. It began with the Senate's refusal to accept the Mellon tax plan unchanged. Back of them there lined up every special interest that wishes an advantage.

"The best reason, therefore, that could be given to refuse to change the Senate rules in accordance with Mr. Dawes' suggestion is that these interests believe that it would be to their advantage. Necessarily, therefore, if it would be to their advantage, it would be against the interest of the great mass of the people.

"Disguise the controversy as one may seek, and as the Vice President has tried to do, no intelligent person need be mistaken and no really intelligent person is. I have yet to come in contact with any individual who has no interest other than the interests of other citizens who favor the Vice President's suggestion. On the other hand, I have come in contact with no one who seeks special advantage that is not heartily in favor of the Vice President's suggestion.

"I would be much pleased myself sometime to discuss it with the Vice President before any audience that might care to hear it."

AGAINST ARBITRARY CLOTURE

There is vigor and settled conviction in the attitude of Senator Furnifold McL. Simmons, of North Carolina. He writes:

"I am utterly opposed to Mr. Dawes' views on this subject. After 24 years in the Senate, I am satisfied that the rules which prevent arbitrary cloture of debate have been a great protection against ill-advised legislation and have brought about that thoroughness of discussion which is impossible under the rules of procedure obtaining in the House of Representatives. Under the present rules of the Senate, two-thirds of the Senate can at any time restrict debate within reasonable limits. When Mr. Dawes becomes familiar with the rules of the Senate, I think he will become less radical in his views."

THE SENATE "TO COOL IT"

Royal S. Copeland, Senator from New York, makes some interesting observations on the subject. His answer to our letter gives food for thought in several directions, as follows:

"Just exactly what the function of the Senate was to be was a matter of great concern to the Constitutional Convention of 1787. There is an anecdote about Washington and Franklin. They were out having tea together during the Convention. Social rules and table manners were not quite the same in those days as they are now.

"As they visited together, Franklin said to Washington: 'What is the purpose of the Senate?' Washington retorted, as a New England Yankee would, by another question: 'Doctor, why do you pour your tea in your saucer?' 'Why,' said the astonished Franklin, 'to cool it.' 'Well,' said Washington, 'that is what the Senate is for.'"

"The purpose of the Senate is entirely different from the purpose of the House of Representatives. From the very beginning it was intended to be a deliberative body where the expenditure of time and the exchange of views should determine judgment in any pending matter. The fact that this has been the rule has had a remarkable result as regards the constitutionality of the measures enacted into law. In the 135 years of our national history, only 38 acts of Congress have been set aside.

"It has been said that if you threw a bone of the Constitution into the Senate the Senators would gnaw on it for 10 days. They have done this to pretty good effect, however, because their cautions, deliberate and exasperating as they may seem, have resulted in the prevention of laws which under other circumstances would have gone into the scrap heap by way of the Supreme Court.

"I can quite understand why a citizen of Nevada might want to have the rules changed. Nevada has 77,000 population, and yet it sends 2 Members to the United States Senate. If New York were represented in the same proportion, it would have 144 Members in the United States Senate, instead of 2.

"Here is another thing to think about: The States of New York, Pennsylvania, Illinois, and Michigan pay 60 percent of the Federal taxes. The combined representation of these States in the Senate is one-twelfth of the total. Therefore these States are totally submerged so far as voting power is concerned.

"New York State has as great a population as 18 other States combined. It exceeds the combined population of Arizona, Colorado, Delaware, Florida, Idaho, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, Wyoming, Maine, and Nebraska.

"Add to these 18 States 7 other States—Arkansas, Louisiana, West Virginia, Wash-

ington, South Carolina, Maryland, and Connecticut, and it will be found that these 25 States, controlling 50 of the 96 votes, have a majority vote in the Senate. These States represent less than 20 percent of the total population of the country and they pay not more than 10 percent of the Federal taxes. Mr. Dawes' cloture rule would give this minority in population and financial standing absolute control of the Senate.

"I am unwilling to have this done. Unlimited debate is the most tiresome thing in the world, both to the man who indulges in it and for those who have to listen to it; but I contend that the best interests of the country have been and will be served by this rule of procedure. The present cloture rule is effective. When it is necessary to stop debate it can be done under the existing rule. I can testify to this because of my own experience in connection with the Isle of Pines. A notice given by Senator Curtis and the presentation of the petition as required by rule XXII demonstrated at once the futility of further effort to defeat action on this treaty.

"The great trouble in the Senate lies in the fact that almost all the business is done by unanimous consent. This means that one Senator by his objection can prohibit the consideration of some measure no matter how important it may be. I had a bill in the last Congress which I brought up nine separate times, and it was put over each time by the objection of the same man, one Senator. I proposed in the Sixty-eighth Congress and again proposed in the Sixty-ninth that this rule be changed, making it necessary for the objection to be supported by two other Senators. This simple change in the rules would revolutionize the work of the Senate."

MAYFIELD FOR NORRIS AMENDMENT

From Austin, Tex., Senator Earle B. Mayfield sends an answer that is clear and convincing. His position on the Dawes proposal follows:

"I do not understand that our Vice President has submitted a concrete, definite proposition as to how the rules of the Senate should be amended. So far he has only dealt in glittering generalities, claiming that one Senator can obstruct the business of the Senate by filibuster, and that ought not to be possible.

"I will admit that it is possible for one Senator or a small number of Senators to obstruct legislation by filibuster when the Senate is about to adjourn sine die, but it is unfair to create the impression that the general business of the Senate can be obstructed by one Senator, because that is not true.

"It might be all right to amend the rules of the Senate so as to limit debate, say 10 days before the session of the Senate is to be concluded, but I would not favor amending the rules of the Senate so as to limit general discussion of legislation.

"Under rule XXII, debate in the Senate can practically be terminated if two-thirds of the Senators favor the proposition, and if the rules were amended as I have above suggested, no measure could be talked to death by one Senator, or even by a group of Senators.

"Senator Norris, of Nebraska, has proposed an amendment to the Constitution which would do away with the so-called short session of Congress, as under his amendment the new President and the new Congress would take office in January following the general election in November. I am in favor of Senator Norris' amendment, and if those who are in sympathy with the views of Vice President Dawes as to cloture rule in the Senate will support the proposed amendment of Senator Norris, we will never again hear anything about filibuster in the Senate.

"With reference to filibuster, permit me to say that I doubt if any real constructive leg-

islation was ever killed in the Senate by that means. Meritorious legislation may be delayed by extended debate, but it cannot be killed in the Senate by filibuster.

"I would never support any amendment to the Senate rules that would result in gag rule, which no doubt the special interests of the country would like to see adopted. Greater harm is likely to come to our country through half-baked, ill-digested legislation than by the delay of meritorious legislation as the result of general debate. When a general measure has run the gantlet of the United States Senate, you can conclude, as a rule, that it has been well considered and analyzed, and, in my opinion, it would be a mistake to destroy the only legislative tribunal in the world where freedom of speech is untrampled. Most of the rules of the Senate were written by such statesmen as John Quincy Adams, Daniel Webster, Henry Clay, John C. Calhoun, and men of like character and ability, some of whom served in the Senate for over a quarter of a century. Our country has grown and prospered and developed under these rules, and I seriously doubt if we of this day and generation can improve them."

CLOTURE MEANS DESPOTISM

This statement, written in the third person, came from the office of Senator Fletcher. His argument and conclusions are soundly based upon the experience of both branches:

"Senator Duncan U. Fletcher, of Florida, says he is not in favor of cloture in the Senate, for that is the only legislative branch of the Government where mature consideration and careful deliberation respecting the measures proposed to be enacted into law is now possible; that the alleged waste of time in the Senate, and the so-called useless discussion there, is much exaggerated; that there is deliberate effort being made to discredit the Senate and shake the confidence of the public in its purposes and procedure; that the talk about filibusters assumes large proportions when really there is no need to be disturbed about that. As proof, he says one can search the CONGRESSIONAL RECORD from the beginning and will be unable to find a single bill that was defeated by a filibuster that ought not to have been defeated. He refers to the force bill and on down to the ship-subsidy bill of 1923, as illustrations, and says the force bill would have established a despotism over the South, which all now admit would have meant ruin, while the ship-subsidy bill would have given away vessels which had cost the people \$4,000,000,000 and required the payment out of the Treasury of \$75,000,000 a year for 10 years to favored shipowners; and there was not so much of a filibuster in that or in other instances as the public supposed, for those who would have felt obliged to vote for the bill if it had come to a vote were actively encouraging the opponents to prevent a vote.

"The Senator says the real menace is not the rules of the Senate, but the rules of the House, where there is cloture, for the leader of that body can move the previous question and end debate, with the result that five or a less number of the House decide what legislation shall be brought forward in that body, what time shall be allowed for consideration, whether any amendment may be made or not, whether or not a bill shall pass, and in what form. Not only that, but they can follow their bills to the Senate and let it be known there that they will not agree to any amendment or change. The five, or sometimes two, Members likewise prevent discussion of bills that other Members desire to have considered and taken up. To illustrate, the House passed a general public buildings bill. No amendment or any debate of consequence was permitted by the leaders. It came to the Senate and the House managers told the Senate committee, 'You must accept that bill precisely as it is, without amendment, or nothing.' That bill did not

pass the Senate, and the amendment offered by me and agreed to by the Senate providing \$7,500,000 for the construction of public buildings heretofore authorized was rejected by the House leaders. The Senate passed the retirement bill by a large vote. It would have passed the House by an overwhelming vote had the leaders in that body allowed a vote on it; but the three to five managers, or leaders, in that body refused to allow it to be taken up and the will of the majority was thus defeated. Those are two fair illustrations of how business is handled in the House and the procedure where there is cloture.

"I do not believe we want to place in the hands of a few men in the Senate the power of life and death over legislation. If that is done some 400 Members of the House might as well go home and let the five leaders do the legislating, and some 90 Senators might as well do likewise.

"I know that the people of this country do not favor an autocracy or despotism in Congress or elsewhere."

HE KNOWS WHAT'S WRONG

There is straightforward common sense in the response of Senator WALTER F. GEORGE, of Georgia. He says:

"Amend the Constitution so as to require Congress to convene by January 1 of each year, thereby doing away with the short session. This is all that is necessary. Harmful filibusters are not possible except during the short sessions of Congress. This change will also rid us of the 'lame duck' evil."

KEEP TO THE QUESTION

When asked his position on the Dawes proposal, Senator Simeon D. Fess, of Ohio, responded in these interesting observations:

"I will join any group of Senators to revise the rules to require a Senator to speak to the issue before the Senate, giving to any Member the right to call any Senator to order. Some Senators are objecting to that rule because they say it cannot be enforced, but it can be enforced as it is in the House. If the offending Senator is not satisfied with the decision of the Chair, he has the right to appeal to the Senate from the decision. Of course, the appeal should not be debatable. While this is not a cloture rule, it will operate as such in that it prevents the tactics of a filibuster. I think it wise to retain the ban of secrecy on treaties and permit unlimited debate on such questions."

PRESENT RULES SUFFICIENT

Another Republican, Senator J. W. Harreld, of Oklahoma, takes issue with the Vice President. In answer to our letter he says:

"I am not opposed to unlimited debate, generally speaking. I believe the Senate now has power to limit the discussion to the particular subject under consideration. I agree with Senator Robinson that the present rules would satisfactorily cover the situation and bring about the desired result, if the Senate would reserve the right to say when the speaker is transcending the rules instead of following the precedent set by the former Presiding Officer of the Senate to the effect that the speaker himself is the sole judge as to his privileges and rights under the rules and making him the sole judge of whether he is or not discussing the question under consideration.

"The whole matter can be determined in any given case by the Presiding Officer himself, notwithstanding the precedent mentioned above. He could rule a speaker out of order because he was not confining himself to the question under consideration. The speaker could then appeal from the decision of the Chair and thus gain the end which the Vice President seeks."

Mr. BILBO. Mr. President, I want it distinctly understood that I am opposed to the principle of cloture. I believe in free, open, full, unrestricted debate in the United States Senate, and if a Sen-

ator who comes here as an ambassador from a sovereign State of this Republic has physical strength and power and endurance to stand on this floor and speak without limit, and speak for a week, or 2 weeks, or 3 weeks, or 4 weeks, 30 days, 60 days, or 6 months, to prevent the passage of a bill which would have an ill effect on his people, and be disastrous to the welfare and happiness of the people of the country, I think he should be permitted to do it.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. CHAVEZ. I am sure the Senator from New Mexico would not object, and I should be delighted, to listen to the Senator speak for 6 months. I would not object to the Senator discussing the merits of this sound legislative proposal.

Mr. BILBO. I promise the Senator I will speak 60 days, and I will stay on this subject, and will not be reading the Bible, the almanac, or anything else, but will stay on the subject. So I suggest to the Senator that he take his name off the petition for cloture.

For more than 100 years, debate has been practically unlimited in this body; even the present cloture rule has seldom been invoked. With the right of free debate guaranteed to every Member of this body, this Nation has grown and progressed. Unlimited debate has been in accordance with American liberty, and has been zealously guarded and protected by the United States Senate.

The filibuster has been practiced for more than a century now and the record shows that it has been a meritorious and indispensable safeguard to protect American freedom. Every time a measure has been before the Senate which threatened the very existence of our system of constitutional government and our American way of life, the filibuster has been a powerful weapon available for us by the minority which would have been otherwise helpless. And the experience of these many decades has shown us that this weapon has been used wisely, and to serve the best interests of the American people. Time has proved that the filibuster has prevented passage of such vicious bills as the force bill, which proposed to give the Federal Government control of elections in the South, the antilynching bill, and many others of like character.

Great and distinguished Senators from all sections of the Nation have participated in filibusters during the years that have passed. Very few of our time-honored statesmen can be quoted as favoring cloture or any other gag rule in the Senate. Practically every Senator who has ever served in this body from any of the Southern States has been forced to filibuster and to cooperate in filibusters in order to protect the rights of the sovereign State which he represented.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. CHAVEZ. Of course, the Senator from Mississippi considers our majority leader [Mr. BARKLEY] and the Senator from Florida [Mr. PEPPER] as representing great constituencies, and they both have signed the cloture petition.

Mr. BILBO. Who?

Mr. CHAVEZ. The Senator from Florida [Mr. PEPPER] and the Senator from Kentucky [Mr. BARKLEY].

Mr. BILBO. It is a matter of public record that all Senators south of Mason and Dixon's line—Kentucky is a border State; it is not one of the Southern States, and never has been so considered—in this fight are standing shoulder to shoulder in defense of their people, the unity of their people, the welfare of their people, the peace and happiness of their people, and the protection of the rights and freedom of their people. They are all standing shoulder to shoulder, arm in arm, except CLAUDE PEPPER, of Florida. I do not know why he is not standing with the others. He says he will vote against the FEPC, but will vote for cloture, although, if cloture is ever enforced and a vote is had on the bill, I know and he knows and everyone else knows the bill will pass. He need not try to fool me, or the Senate, or his own people, or anyone else that he is against this bill, because he knows that when he is voting for cloture he is voting for the passage of the bill.

Mr. CHAVEZ. Of course, the Senator will admit that if he were to let the majority vote, the bill would pass.

Mr. BILBO. Any day, any hour. The majority not only would pass the FEPC bill, they would pass the anti-poll-tax bill, they would pass the antilynching bill, and God knows what they would not pass, because it would be good politics.

Mr. CHAVEZ. It is good politics, too, to "cuss" the Negro once in awhile.

Mr. BILBO. Good politics for a certain crowd; yes. We are filibustering, Mr. President, because we do not propose to let this bill come to a vote, and unless the majority goes wild and violates the amenities which should exist, and have existed all these years on this floor between Members of the Senate, and every rule in the book is raped, and resort is had to the law of the jungle, there will never be a vote on this bill at this session.

The majority can bring it about by force. They can say, "To hell with the rules of the Senate, to hell with any ideas of courtesy or consideration, to hell with everything else; we have a majority, we are going to ride roughshod and run over you and cram it down your throats anyway." They can do it; I know that. But the rules of the Senate were intended to protect the minorities in an orderly forum like the United States Senate, and I for one do not believe the majority is going to try that or think of doing it.

Mr. CHAVEZ. Of course, we would not try to keep the Senator from Mississippi or any other Senator from adequately discussing any legislation.

Mr. BILBO. That is not what I was talking about.

Mr. CHAVEZ. The Senator will also admit that rule XXII, which is the cloture rule, is also a rule of the Senate.

Mr. BILBO. Yes.

Mr. CHAVEZ. And just as effective, if it can be invoked, as any other rule.

Mr. BILBO. And the Senator from New Mexico knows, as well as I know, that the cloture rule cannot be invoked under the present parliamentary status of this discussion.

Mr. CHAVEZ. We will see about that when the proper time comes.

Mr. BILBO. I have said that if the majority wants to violate all the rules in the book, and all the precedents of parliamentary practice, and resort to the rule of "might makes right" and the law of the jungle, of course, they can do it.

Mr. CHAVEZ. No, Mr. President—

Mr. BILBO. They will never do it by any affirmative rule.

Mr. CHAVEZ. Mr. President, I have more faith in the presiding officers of this body than has the Senator from Mississippi.

Mr. BILBO. I resent that statement.

Mr. CHAVEZ. I would not like to think that the ruling of my good friend, the present occupant of the chair (Mr. JOHNSTON of South Carolina in the chair)—

Mr. BILBO. If it were left to the Senator from South Carolina [Mr. JOHNSTON], the majority would not have a chance.

Mr. CHAVEZ. I think the Senator who is now presiding would interpret the rules according to what he understood them to provide, and I would not like to think he would decide one particular way. In other words, I have more confidence in the Senator from South Carolina than has the Senator from Mississippi.

Mr. BILBO. The Senator, as a Senator from New Mexico, is an ambassador with power, representing a sovereign State. Is he willing to abide by the decision of the Chair and the ruling of the Parliamentarian on matters coming before this body?

Mr. CHAVEZ. I am willing to abide by anything the Senate does.

Mr. BILBO. That is not what I was asking the Senator.

Mr. CHAVEZ. I know the Senator was not.

Mr. BILBO. I was trying to ascertain whether the Senator would be inclined to appeal from a decision of the Chair after he ruled.

Mr. CHAVEZ. Of course, the Senate is a body by itself. The Senate makes the rules, not the presiding officer.

Mr. BILBO. There are 96 Senators.

Mr. CHAVEZ. That is correct, and those 96 Senators can make any rule.

Mr. BILBO. That is what I have been trying to tell the Senator. The minority would not have a chance. The minority has not a chance on this floor if the majority is to resort to the rule that a majority has a right to do what it wants to. That the majority is right because it is the majority is not a true statement. The majority is not always right. In hysterical times the majority goes haywire, just as some are going haywire on this bill.

Mr. CHAVEZ. Of course, the Senator is not talking about our side.

Mr. BILBO. I am not talking about anyone personally, because I have the very highest regard for my colleagues, especially the Senator from New Mexico, who is so affable, so congenial, so pleasant, and so accommodating; but his faith is yet to be tested, and that is the time for the rule of the jungle to take charge of the Senate. If the Senator joins the gang, I shall withdraw all I am saying about him.

Mr. President, the southern group is without a doubt the minority group which has most often been forced to engage in prolonged discussion in order to protect its rights. We hear so much today about protection of the rights of the minority racial groups and various other so-called minorities, but I here and now nominate for the most silent voice in this Nation—indeed, one which, if it speaks at all, speaks in whispers that cannot be heard—the voice of our northern, eastern, and western friends for the protection of the rights of the Southern States, and for respect for the customs and problems of the white people of the South. The southern Senators as a group are a voting minority in the Senate and if we could not engage in unlimited debate we would indeed be at the mercy of the majority at all times and under all circumstances. With conditions as they are today, with the threat of communism sweeping this Nation, with the pressure groups, the radicals, the Negro organizations, and others urging every conceivable reform upon the South and hurling every thinkable insult at white southerners, with greater and greater pressure for antisouthern legislation coming from northern groups—all located in New York—who wield a powerful vote, God forbid that the right of speech be taken from us.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. CAPEHART. I ask unanimous consent to have printed at this point in the RECORD chapter 325 of the Acts of the 1945 Indiana Assembly, eighty-fourth session. The chapter is entitled "An act conferring certain powers and duties on the division of labor and the commissioner of labor concerning discrimination because of race, color, creed, national origin, or ancestry, and providing for an advisory board."

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[Ch. 325]

[S. 75. Approved March 9, 1945]

An act conferring certain powers and duties on the division of labor and the commissioner of labor concerning discrimination because of race, color, creed, national origin, or ancestry, and providing for an advisory board

Whereas the practice of denying employment to, and discriminating in employment against, properly qualified persons by reason of the race, creed, color, national origin, or ancestry, is contrary to the principle of freedom and equality of opportunity, and the denial by some employers and associations of employees of employment opportunities to such persons solely because of their race, creed, color, national origin, or ancestry deprives large segments of the population of the State of the earnings which are necessary to maintain a just and decent standard of living; and

Whereas it is the policy of the State that opportunity to obtain employment without discrimination because of race, color, creed, national origin, or ancestry be protected as a right and privilege of citizens of the State of Indiana; and

Whereas it is the public policy of the State to encourage all of its citizens to engage in gainful employment, regardless of race, creed, color, national origin, or ancestry, and

to encourage the full utilization of the productive resources of the State to the benefit of the State, the family and to all the people of the State: Therefore

Be it enacted by the General Assembly of the State of Indiana:

DEFINITIONS

SECTION 1. Definitions. When used in this act:

1. The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, or receivers.

2. The term "associations of employees" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

3. The term "employees" shall not include any individual employed by his parents, spouse, or child, or in the domestic service of any person in his home.

4. The term "employer" shall not include a social club or a fraternal, charitable, educational, or religious association, organization, board, or body, not operating for private profit.

5. The term "division" means the Division of Labor of the Department of Labor of the State of Indiana.

6. The term "commissioner" means the commissioner of labor of the State of Indiana.

CONFERS UPON DIVISION OF LABOR POWER AND DUTY TO COOPERATE WITH OR UTILIZE OTHER AGENCIES TO AID IN REMOVING DISCRIMINATION WITH RESPECT TO EMPLOYMENT BECAUSE OF RACE, CREED, COLOR, NATIONAL ORIGIN, OR ANCESTRY

SEC. 2. There is hereby conferred upon the division of labor the power and duty, in addition to the powers and duties now vested in it, to cooperate with or utilize other agencies and to utilize voluntary and uncompensated services, in connection with the efforts of said division to aid in removing discrimination with respect to employment because of race, creed, color, national origin, or ancestry.

CONFERS UPON COMMISSIONER OF LABOR CERTAIN FUNCTIONS

SEC. 3. There is hereby conferred upon the commissioner of labor, in addition to the functions now vested in him, the following functions, viz:

1. To appoint such employees and fix such salaries or other compensation therefor as he may from time to time find necessary for the proper performance of his functions under this act. The reasonable and necessary traveling and other expenses incurred by the commissioner, his agents or employees, while actually engaged in the performance of such functions, outside of the city of Indianapolis, and all salaries and expenses in administering this act (which salaries and expenses shall not exceed \$15,000 annually) shall be paid from the State treasury as expenses of officers and employees and other expenses of departments of the State government are paid and the sum of \$30,000 is hereby appropriated to pay such salaries and expenses for the fiscal years beginning July 1, 1945, and July 1, 1946.

2. To aid in bringing about the removal of discrimination in regard to hire or tenure terms or conditions of employment because of race, creed or color: by making comprehensive studies of such discrimination in different metropolitan districts and sections of the State, and of the effect of such discrimination, and of the best method of eliminating it; by formulating, in cooperation with other interested public or private agencies, comprehensive plans for the elimination of such discrimination as rapidly as possible in

cities or areas where such discrimination may be found to exist; by conferring, co-operating with and furnishing technical assistance to employers and private or public agencies, organizations and associations in formulating and executing policies and programs for the elimination of such discrimination; by receiving and investigating meritorious written complaints charging any such discrimination and by investigating other cases where he has reason to believe that such discrimination is practiced; and by making specific and detailed recommendations to the interested parties in any such case as to ways and means for the elimination of any such discrimination.

COMMISSIONER MAY RECOMMEND SPECIFIC PLAN TO GENERAL ASSEMBLY AFTER STUDY AND INVESTIGATION

SEC. 4. The commissioner shall make a study and investigation of discrimination in regard to hire, or tenure, terms or conditions of employment, in the departments and agencies of the State because of race, creed, or color, and may recommend to the General Assembly a specific plan to eliminate it and such legislation as he deems necessary to eliminate it.

COMMISSIONER AUTHORIZED TO RECEIVE WRITTEN COMPLAINTS OF VIOLATION OF CIVIL RIGHTS LAW, TO INVESTIGATE COMPLAINTS OR CONDUCT INVESTIGATION—TRANSMIT RECOMMENDATIONS TO LEGISLATURE

SEC. 5. The commissioner is authorized and empowered to receive written complaints of violation of the civil rights law or other discriminatory practices based upon race, creed, color, national origin or ancestry and to investigate such complaints as he deems meritorious, or to conduct such investigation in the absence of complaint whenever he deems it in the public interest. He may transmit to the legislature his recommendations for legislation designed to aid in the removing of such discrimination.

ADVISORY BOARD OF NINE MEMBERS CREATED

SEC. 6. There is hereby created an advisory board of nine members, eight of whom shall be appointed by the Governor. Four of the members appointed by the Governor shall at the time of their appointment be members of the State senate and four shall at the time of their appointment be members of the house of representatives of the State. The Lieutenant Governor shall be the ninth member of said board, by virtue of his office as Lieutenant Governor, and shall serve as chairman. Vacancies shall be filled in the same manner as original appointments. Such board shall advise and assist the division of labor and the commissioner in administering and carrying out the provisions of this act. Members of said board shall be paid their expenses reasonably and necessarily incurred.

SEVERABILITY

SEC. 7. If any clause, sentence, paragraph, or part of this act, or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not effect [affect], impair, or invalidate the remainder of this act, and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the persons or circumstances involved. It is hereby declared to be legislative intent that this act would have been adopted had such invalid provisions not been included.

Mr. MEAD obtained the floor.

Mr. RUSSELL. Mr. President, will the Senator from New York yield so I may suggest the absence of a quorum?

Mr. MEAD. I yield for that purpose. Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hart	Mead
Bailey	Hayden	Milikin
Bilbo	Hickenlooper	O'Daniel
Butler	Johnston, S. C.	Russell
Chavez	La Follette	Stanfill
Cordon	Langer	White
Donnell	McCarran	
Ferguson	McFarland	

The PRESIDING OFFICER. Twenty-two Senators have answered to their names. A quorum is not present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. BREWSTER, Mr. BRIGGS, Mr. CAPPER, Mr. ELLENDER, Mr. HATCH, Mr. HOEY, Mr. KILGORE, Mr. MAYBANK, Mr. MCKELLAR, Mr. MORSE, Mr. SMITH, Mr. WILEY, and Mr. YOUNG answered to their names when called.

The PRESIDENT pro tempore. Thirty-five Senators have answered to their names. A quorum is not present.

Mr. RUSSELL. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. AUSTIN, Mr. BYRD, Mr. GERRY, Mr. HILL, Mr. McCLELLAN, Mr. MYERS, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. STEWART, Mr. THOMAS of Utah, Mr. TOBEY, Mr. TYDINGS, Mr. WALSH, and Mr. WILLIS entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators have answered to their names. A quorum is present.

Mr. MEAD. Mr. President, it is my desire to take as little time as possible in the course of the brief observations I shall make. While I have no desire to participate in any effort which will postpone the actual debate upon the pending measure, I think perhaps it is appropriate occasionally to take a little time to check the record, to make some corrections, and briefly to make reply to some allegations which those of us on this side of the question think are entirely out of order and inappropriate. I shall ask my colleagues to bear with men in this most unusual request: I ask not to be interrupted until I complete my statement, because I do not wish to be responsible for prolonging the debate. I shall answer anyone and everyone, however, when we have an opportunity to debate the bill when the bill is actually the subject of discussion before the Senate. So I ask my colleagues to be patient with me. I wish to complete my remarks speedily, so that I may not in any way be subject to criticism for delaying the vote on the bill.

Mr. President, the able majority leader presented our side of this question in a very brief statement and necessarily in a very limited way. He explained the various parliamentary steps

through which the bill has passed, and he pleaded for its final passage by the Senate. I was rather proud of the earnestness and sincerity and eloquence of the majority leader in the plea he made to those on this side of the aisle. It buttressed the Democratic support which this measure has received in the past. It tied the Democratic Party all the closer to this important piece of legislation. It brought to mind the initiation of this proposal by the late lamented President Franklin D. Roosevelt, a great Democrat, a great humanitarian, and a great advocate of economic opportunity. When we think of the Democratic support which this proposed legislation has received and is receiving, it is refreshing to note the present President of the United States made this observation:

Discrimination in the matter of employment against properly qualified persons because of their race, creed, or color, is not only un-American in nature, but will lead eventually to industrial strife and unrest. It has a tendency to create substandard conditions of living for a large part of our population. The principle and policy of fair-employment practice should be established permanently as a part of our national law.

That quotation is from President Truman.

So Mr. President, we have the utterances of the late President Roosevelt and those of the present President of the United States, and we find the same sentiments contained in the appeal made by the majority leader and in the remarks made by the distinguished Senator from New Mexico [Mr. CHAVEZ] in his remarks on the bill. The Senator from New Mexico is sponsoring the bill on the floor of the Senate, and he deserves our commendation for his forthrightness, his patience, and his desire always to be fair and reasonable in connection with the consideration of this measure.

I wish to say that the bill is not a partisan one. I can say that because it was endorsed in the platform of the Republican Party, and it is my understanding that a majority of the Senators on the other side of the aisle have already signed the cloture petition, signifying their eagerness to have this bill voted on by the Senate.

Mr. President, I must take issue with some of the statements which have been made on the floor. The first matter I wish to bring before the Senate relates to the conduct of the Senate itself, the decorum of Members of the Senate. It occurs to me that advantage accrues to the side which observes the proper parliamentary procedure and adheres to the standard of ethical conduct, to the accepted standards, by being good sports and by giving the other fellow the fullest and fairest opportunity.

During the discussion of this question there have been things said about my State and my people which, in my judgment, violate the rules of the Senate; and as a representative of the largest and most populous State of the Union, I cannot let such statements pass without commenting upon them. During the debate on this issue Senators—not on our side—have made utterances derogatory of Members of the other branch of the

Congress. While the Members of the House of Representatives may make mistakes and may say things with which, under certain circumstances, we have a right to take issue, nevertheless there are rules which have been carefully devised and which for a long period of time have been guides for the House and the Senate to follow, and they should be observed and respected. I am not making any general complaint. I shall do so, if opportunity is given to me in the course of the conduct of the debate on this bill. But for the present I shall content myself by reading the rule. In all our debates on this bill and every other bill I should like to see the Senate meticulously adhere to the rules. Rule XIX, paragraph 2, reads as follows:

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

Mr. President, I am not saying that the motives of a Senator have been impugned, but I am saying that some of the utterances which have been made in this body have been derogatory of the conduct or the statements of Members of the other branch of the Congress. I served in the House of Representatives for 20 years, and I know that in that House the minute a Member of that body says anything derogatory of a Member of this body, he is called to task and he does not get very far. If we find that we have reason or excuse or opportunity to make a statement derogatory of a Member of the House of Representatives, the rule I have read should be broad enough to cover the situation.

Mr. President, I have another objection to make to some of the utterances which have been made during the debate. I shall not put them on a specific, personal basis, but I shall read the rule. It is paragraph 3 of rule XIX:

No Senator in debate shall refer offensively to any State of the Union.

Mr. President, I reiterate that New York is in the Union and New York is deserving of the consideration of the Members of this body. In the matter of raising revenues for the support of the Government and in the matter of raising an Army for the defense of our Government, New York is always in the forefront. Regardless of whether New York is a large State or a small State, regardless of whether it is a State in the East, in the West, in the North, or in the South, in my judgment strict adherence to that rule will reflect to the credit and the intellectual stature of those who may debate this bill, or any other bill, on the floor of the Senate.

So, Mr. President, I shall now proceed to discuss the issue which is before us. The issue is confused. At various times it has been almost impossible to understand it. Sometimes the issue seems to be political, sometimes it seems to be social, sometimes it seems to be sectional.

Mr. President, the plain and unvarnished issue before the Senate is an economic issue—it is the issue of equal economic opportunity.

During the war we assured equality of economic opportunity, and our all-out

economic effort smothered our enemies and amazed the world. We became the arsenal of democracy. We actually put into effect in America the principles of the Atlantic Charter and the four freedoms, one of which was freedom from want. That program served well in time of war. We cannot now reconvert to peace, carry out the ideals of the Atlantic Charter and of the four freedoms, and enjoy all-out maximum employment if we permit bigotry, racial intolerance, and economic inequality to operate unchecked. It simply cannot be done.

I reiterate that the issue is of equality of economic opportunity. The pending bill pertains to jobs and employment, and not to the extraneous matters which have been referred to in the debate.

Mr. President, the charge has been made many of the persons who are sponsoring the pending bill are Communists. That charge is made altogether too liberally and too generously, and in most instances it does not apply. For a man to be liberally inclined toward this measure does not necessarily imply that he is a Communist. Sometimes I think that the Red issue is a red herring drawn across the trail in an attempt to injure the progress of this bill.

We are, of course, all in favor of the Atlantic Charter. We are all in favor of the elimination of war. The best way to eliminate war is to start now and pass this bill, and give a wartime agency which functioned well and did a very good job during the war the right to continue doing its job during the peace. At the very height of the war effort, while this agency was clothed with the full authority which was given to it by congressional action and congressional appropriation. I received from one of the large employers of America a telegram which I shall read. I think that the employers of America, such as the large corporations that have much to do with hiring policies in our industries, are good witnesses in behalf of our struggle to have enacted legislation of the kind which is being proposed in the pending bill. I received the following telegram from Dwight R. G. Palmer, president of General Cable Corp. In the telegram he says:

May I respectfully bring to your attention the following telegram which I sent under date of June 15 to the chairman of the Senate Appropriations Committee:

"In promoting a program of equal economic opportunity throughout the Nation in accordance with the ideas of the late Franklin D. Roosevelt and with those of our present great leader, the Honorable Harry S. Truman, the Fair Employment Practice Committee, we sincerely believe, is performing a useful and worthwhile public service. That agency, so far as we know, has limited itself rigidly to the attainment of nondiscrimination in employment, in accordance with dictates of the Executive order under which it was set up. In operating 10 plants situated from coast to coast, we have consistently taken the position that all individuals, regardless of race, creed, or color, shall be afforded equal economic opportunities, and have been singularly successful while adhering to this principle. We have found that when the basic principles underlying this policy have been adequately explained to our employees, they have wholeheartedly agreed to the economic integration of any and all minority groups."

The telegram continues to recite the success which was attained as the result of adherence to the principles embraced in the words "economic opportunity."

Mr. President, let us take up some of the objections which have been made to the pending bill. The objections which I have noted are objections which are based on the contention that the bill violates States' rights; that it compels employers to hire against their will; that it advocates or approaches social equality. It is said that by the enactment of the bill we would arouse prejudices and discriminations, and defeat every object of the measure.

The bill does not violate States' rights, because it applies to industries which are interstate in character. Similar provisions, I may say, are contained in many of our legislative enactments in order to protect the States, define the scope of the legislation, and assure its constitutionality. Those purposes have been well taken care of in the pending measure.

With reference to the contention that the bill would compel employers to hire against their will, I may state that that is not the approach it makes. The approach is, rather, that employers shall not refuse to hire because of race, creed, or color. That is the compulsion, if any, Mr. President; not that employers are compelled to hire or fire, but that they shall not refuse to hire because of race, color, or creed.

With reference to the objection based on the assumption that the bill would be promotive of social equality; that objection is, in my judgment, merely a red herring which has been drawn across the trail. We cannot legislate social equality, nor can we legislate a man's religious affiliation. We can legislate equality before the law and equality of economic opportunity. That is all that we are trying to do.

The charge that the bill defeats its purposes by arousing prejudices is, in my judgment, well answered by the splendid and successful administration of the present Committee on Fair Employment Practice during the past several years.

Mr. President, I have noted in the CONGRESSIONAL RECORD some of the objections which have been made to the bill. One of the objections is that the bill would transfer the present employees of the Committee to the new Commission. The objection is based on the theory that by so doing, a preference would be exercised. We have already transferred employees from one agency of the Government to another. Such transfers have taken place over a long period of years.

It is a practice which is traditional in the Federal Government. After the war ended the disposition of surplus property was found to be in the hands of the Treasury Department. We transferred that function and the employees who had been handling it—a great number—to the Department of Commerce. Then we transferred the agency from the Department of Commerce to the RFC. We are now transferring the agency from the RFC to the War Assets Corporation.

Mr. President, there are approximately only 25 or 30 employees of the Committee on Fair Employment Practice, most of them being clerks and stenographers.

The work of the Committee has been repeatedly commended. It was commended by the late President Roosevelt, and has been commended by President Truman. Very naturally it would be desired to transfer the employees of the Committee to the proposed Commission because of the expert knowledge they have gained in the administration of the present program.

Another objection which I find in the CONGRESSIONAL RECORD is that the bill seeks to forbid discrimination in employment because of race, color, or creed. It has been contended that there should be included in the bill a proscription against discrimination because of union membership or the absence of union membership. Mr. President, if the proposal with reference to union membership and non-union membership were added to the bill, violence would be done to the labor laws which have already been enacted by the Congress, which express the policy of the Congress, and which were debated at length on the floor of the Senate. As the result of that debate, we determined by our votes the policy of the Government with reference to our labor program.

Moreover, Mr. President, such a proposal would have the effect, I believe, of destroying the union shop. It would remove with one fell swoop the advances which have been made by labor during the past century, by making ineffectual collective bargaining, and by subverting every provision of the Wagner Act. It would be an attempt to amend the Wagner Act by taking away powers now in the hands of representatives of employees.

Mr. President, it has been stated that a majority group member may be denied employment because of age, but that a minority group member could not be denied employment for the same reason. My answer to that is that an employer may fix any standards of age or ability which he may desire to fix. If he applies all qualifications alike to persons of the majority group and to persons of the minority group, there can be no violation of the law. Violation consists of treating persons differently because of race, color, and creed. I stated that before, Mr. President, and I assert it again.

It is stated that this bill sets up courts wherein an employer might be tried anywhere in the United States. The answer to that is that under our requirements of due process and a fair hearing, it is obvious that the courts would not sanction the holding of a hearing at a place which would make it unduly inconvenient or impossible for a party charged to adequately present his defense. At any rate, the courts have something to say, rather than the committee.

It has also been said that the proposed agency might have certain power to put people in jail and fine them \$5,000, and so forth, if they interfere with the proper examination, or if they resist in the proper presentation, of their records or their books.

The Commission could put no one in jail. An aggrieved party who refused to comply with an order of the Commission after a decree of a circuit court enforcing it had been entered, might have to go to jail under the contempt powers of

the court. The same method of enforcement is in the National Labor Relations Act, in the Clayton Act, and in other administrative legislation. Again, the court is the authority rather than the Commission.

The Commission could not put a man in jail, or fine him, for resisting it or its agents. Section 14 is the provision Senators may have in mind and the punishment prescribed for violations of that section are applicable only after trial and conviction in the district court in accordance with established Federal criminal procedure.

There is a general complaint that this measure would create strife and animosity which do not now prevail; that it would do the colored people harm rather than good, and that in the final analysis it would adversely affect the minority groups which we are attempting to protect. In my judgment, that is not a tenable theory. On the contrary, I believe that racial strife and animosity arise from discrimination, particularly economic discrimination. They flourish most where discrimination is greatest, and discrimination itself is a major cause of race difficulties. One of the surest ways of lessening strife and animosity is to provide fair opportunities for minorities in industry.

There again the wise words of the president of the General Cable Corp. come to mind. He explained that he put the policy into effect from coast to coast, in all his industries, and when it was understood, it had the effect of eliminating the strife and the ill feeling which might otherwise exist.

It is not possible to legislate anything into the hearts and minds of the people. We can gradually eliminate prejudice and ill-feeling between groups.

Senate bill 101 is not designed to eliminate prejudice. It is intended, instead, to eliminate certain effects of prejudice; not to make persons like each other, but to respect the rights of others. That legislation is effective in eliminating discrimination in employment is shown by the history of the National Labor Relations Board, and that it can be used to control the conduct of employers toward employees in other ways is shown by the success of laws regulating the hours of work for women and those prohibiting child labor.

Mr. President, coming to another objection I find made against the pending bill, it is said that the size and the character of the agency are the subject of doubt, that it might become a great, growing octopus, and that there is no way by which we can foresee the ultimate result.

The number of workers to be employed by the Commission would be controlled by the Bureau of the Budget in its recommendation for appropriations and by the appropriate committees of Congress and by the Congress in acting on such recommendations. Qualifications of the employees would be fixed by the United States Civil Service Commission, as is the case in all similar agencies. They would be fixed consistent with the standards applicable to employees of other agencies.

Another objection to the bill is that the refusal of an accused employer to permit an examination of his books and records is made a crime, punishable by imprisonment for 1 year and a fine of \$1,000.

The reference I presume is to section 14 of S. 101, which sets forth the punishment of any person after a criminal trial in a district court who willfully resists, prevents, impedes, or interferes with a member of the Commission or one of its agents in the performance of duties under the act. This is a usual provision in administrative law, and is found in section 12 of the National Labor Relations Act. The provisions of S. 101, however, would not be applicable to this form of resistance because, under section 11 (b), the subpoenas of the Commission for the books and records of a party charged would be enforceable under the contempt powers of a district court.

So the courts enter again. It may be that some Senators had in mind the ultimate decision of the courts as the result of the enactment of the legislation, but I make the statement, Mr. President, that it rests with the courts.

The Commission has limitless authority to effectuate the policies of the act. A number of Senators have described the unwarranted influence and scope which might result from the enactment of the proposed legislation.

The Supreme Court, in deciding cases arising under administrative agencies, has repeatedly held that the affirmative action required to be taken by the agency must be related reasonably to the purposes of the act, and there are a number of instances where appellate courts have refused to enforce certain affirmative action orders of the National Labor Relations Board on the ground that those orders, or portions thereof, in the courts' opinions, were not calculated to effectuate the purposes of the National Labor Relations Act. Again, Mr. President, we must trust the courts.

The bill provides that the machinery of the agency would become effective after it had been alleged that an unfair employment practice had taken place.

In answer to that statement, the National Labor Relations Act contains a similar provision, and it is the established practice of the NLRB to require sworn allegations before commencing its investigations. On the other hand, neither the Federal Trade Commission Act nor the Clayton Act requires an allegation before the machinery of the Federal Trade Commission is brought into play. Under both those acts, the Federal Trade Commission may initiate its procedure when it has reason to believe that violations of the acts have taken place. Therefore these provisions of S. 101 are consistent with administrative history.

Moreover, the Fair Employment Practice Committee would have to prescribe in its rules and regulations the form in which the allegation must be made. Under the bill, Congress has 60 days in which to disapprove any such regulation.

Mr. President, I do not see anything inconsistent in the bill, nothing which has not already found its place in other acts, by congressional approval. I be-

lieve it follows the general trend, the general practice. I think a great deal of the authority which it is asserted is contained in the bill is not only found in other acts, but in some instances we may be mistaking the authority for the authority which is found only in other acts.

Mr. President, another statement has been made which I believe was derogatory of certain individuals or certain organizations that might be supporting the bill. For instance, the Southern Conference for Human Welfare seemed to come in for consideration. The name of Clark Foreman, of Atlanta, who was reelected president of that organization, was mentioned on the floor of the Senate. I do not know that I could say that the reference was highly complimentary, for if my memory serves me correctly, I think it was a derogatory observation.

I wish to read into the RECORD the names of some of the members of that organization. There are included in its list of officers Dr. Frank Porter Graham, president of the University of North Carolina, honorary president. I recall very well that he comes from the State of my good friend, the senior Senator from North Carolina [Mr. BAILEY]. He and I talked about him on the floor of the Senate, and if I recall the conversation correctly, the Senator from North Carolina said some complimentary things about the doctor.

There is Tarleton Collier, associate editor of the Louisville Courier-Journal, secretary; Dr. Alva W. Taylor, Nashville, Tenn., editor of the Mountain Life, treasurer; James A. Dombrowski, Nashville, executive secretary.

Mr. President, something has been said about Dr. James A. Dombrowski while I have been in the Chamber, and I believe it was stated that he was from New York. It is my good fortune to have a letter a paragraph of which refers to this celebrated and distinguished southern gentleman. The letter says:

I happen to know Dr. Dombrowski as a very fine southerner and as an American of the highest type. I knew him when he was a student at the Union Theological Seminary in New York.

So he was in New York, but he was attending the Union Theological Seminary.

I know of his untiring work in the cause of the Christian Church as well as in his humanitarian efforts.

It is my information, Mr. President—I am not at all sure about it, except that I recall it has been brought to my attention—that he is a southerner, that his father before him was a southerner, a southern minister, and that his grandfather was also a resident of the South.

Mr. EASTLAND. Mr. President—

Mr. MEAD. I stated at the very beginning that I was proceeding hastily to finish my remarks, that I was going to make observations in reference to certain statements and allegations which had been made, and when the bill comes before the Senate for a vote, I shall yield promptly and liberally, if I have opportunity to do so.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. MEAD. Mr. President, I ask that I have order. Is the President pro tempore going to enforce the rule? I am sorry I have to bring this to the attention of my colleagues a second or a third time.

The vice presidents of the organization are Paul Cristopher, Tennessee, regional director, CIO; Roscoe Dugnee, Oklahoma City, editor of the Black Dispatch; Mrs. Clifford Durr, Alexandria, Va., vice chairman of the National Committee To Abolish the Poll Tax; Methodist Bishop Paul B. Kern, Tennessee; William Mitch, United Mine Workers; and Hollis V. Reid, Brotherhood of Locomotive Firemen and Enginemen.

Mr. President, this organization is made up of residents of Southern States, individuals who hold responsible assignments to which they have been elected or selected by rather large representative bodies in the Southern States, and it occurs to me that when they submit their observations on legislation to the Senate they ought not to be held up to ridicule, there ought not to be allegations made that they are communistic, and it occurs to me that we would be better sports if we would just let the record stand if we could not say anything very good about them.

Mr. President, I desire to insert in the RECORD at this point, in order to expedite the progress of the debate, some editorials on the FEPC. This editorial comment was made during the war, when FEPC was in the full vigor of its influence with sufficient appropriations to carry out the purposes of the agency as it was set up by the late, lamented President Roosevelt. I shall not take time to read them, but I want to say that the southern press is represented in a very substantial way in support of the FEPC.

I should like to have printed in the RECORD an editorial from the Birmingham (Ala.) Age-Herald; one from the St. Louis (Mo.) Post-Dispatch; one from the Salisbury (N. C.) Post; one from the Durham (N. C.) Herald—I shall not name the newspapers of New York and other States—an editorial from the Asheville (N. C.) Citizen; another one from the Birmingham (Ala.) Age-Herald; another from the Durham (N. C.) Herald; another from the Knoxville (Tenn.) News-Sentinel.

Mr. JOHNSTON of South Carolina. Mr. President, unless they are read into the RECORD, I shall object.

Mr. MEAD. Mr. President, then they will not go in the RECORD, because I shall not delay the progress of this legislation by reading them.

The PRESIDENT pro tempore. Objection is heard.

Mr. MEAD. Mr. President, I regret that objection has been made. At a later date, when the Senate is a little more liberal with us, I shall have them printed in the RECORD, if I can.

Here is an article I shall read. I think it is important. I would have asked to have it inserted in the RECORD, but perhaps I would not be able to secure the opportunity to have it printed at this point in the RECORD. The article is from

Time magazine, and the title is "What Color Is Death?" It is as follows:

When a flu epidemic hit Georgia in 1938, it felled the only available white doctor in Jasper and Putnam Counties, left hundreds of his rural patients with one hard-to-swallow recourse. They had to call on gentle Dr. Frederick D. Funderburg, a Negro physician. Working virtually around the clock, Dr. Funderburg attended as many as 60 white patients a day, succeeded in checking the epidemic.

Convinced of his skill, grateful whites have been calling on him ever since with all sorts of ailments. The relationship between a Negro doctor and white Georgians was awkward at first, but Dr. Funderburg's competence has won him respect. Now 57, he shuttles busily between modest frame offices in both counties, where whites wait their turn along with Negroes. Among white people who visit him regularly are a bank official, a school teacher, several members of prominent Georgia families.

With a new flu season, Dr. Funderburg was not the only Negro who was overcoming prejudice with skill. Many a white southerner, unable to get his regular doctor, was turning to a Negro for help.

Tall, spare Dr. Joseph B. Gilbert, 47, who practices in Georgia's Franklin and Hart Counties, got his start in 1937. He was asked to see a 60-year-old victim of pneumonia whose white doctor was ill. Frightened but confident, Dr. Gilbert pulled his patient through. He has since treated whites continually, delivered eight white babies.

In the little aristocratic town of Beaufort, S. C., brisk, 46-year-old Dr. Montgomery P. Kennedy has been at it even longer. A specialist in obstetrics, he handled his first white case—a woman with a postchildbirth hemorrhage—in 1930. He estimates that he has since delivered 85 white babies. With the local white doctors, he says, he gets along "just fine, except for one Connecticut Yankee."

Mr. President, I am not the author of this article. It was published in Time magazine. It may be completely accurate, it may be in error in some detail; but it goes to show that prejudice has no place when mankind and the problems of mankind, such as the one we are now considering, the right to work, the right to support our families, the right to keep body and soul together, are at stake. The article goes to show that we are making progress in the North and in the South, in the East and in the West, and it occurs to me that that progress can be accelerated by the enactment of this proposed legislation, which will create a limited authority that by the exercise of diplomacy, by the exercise of justice and of reason, will cut down the occasions of discrimination and eliminate the problems that have from time to time stirred up racial antipathy.

Mr. President, as I said when I began, I have given voice to what I thought were some general objections to the bill, and to some specific objections to the bill, and I have stated my interpretation of the bill contravening those objections. I did not intend that any of them should be specific. I wanted them to apply generally. I wanted to aid in my limited way those who are considering whether they will vote for or against the bill, in arriving at a decision.

Mr. President, when the bill finally comes before the Senate for discussion I shall be more specific, but I wanted to be

brief on this occasion, and therefore I have endeavored to be as general as I could.

Mr. President, the goal of 60,000,000 jobs after reconversion presents another problem which is related to the pending measure. That goal will never be achieved if we fail to grant equal opportunity to all our citizens, as we did during the war, and as provided for in the Constitution of the United States.

The postwar period will prove to be a trying one. I am sure we all admit that. Not only must we close up the wounds of war, we must also untangle the almost unbelievably complicated economic problems caused by war. Foremost among these is the question of economic equality and opportunity. This can only be achieved by sound and forthright legislation by the Congress. Moreover, as we reconvert to peace we must remember that we cannot permit conversion to national bigotry, religious discrimination, and racial prejudice. Without equal opportunity for all our people, we will neither achieve our full economic strength nor realize the happiness and spiritual well-being, without which the world cannot long remain at peace.

With respect to the economic side, we all know that a sound civilian economy is an absolute essential in waging a war, particularly a long war. It is always desirable to permit the highest levels of civilian production consistent with obtaining the war material required for combat action and military training. This is an even more important consideration as the reconversion period progresses as it is today. We now have a direct obligation to our returning soldiers and sailors and war workers to provide them with jobs and decent living conditions, a task that can be accomplished only if civilian production is resumed quickly and on a large, national scale.

About 17,000,000 people are engaged in manufacturing and mining pursuits. Failure to provide work for even a small fraction of this number would have the most serious consequences if it existed for an appreciable length of time.

We are determined, now that the war is over, that we shall not witness a depression which will result in our returning veterans and war workers being unemployed.

We know that the period between the cancellation of war contracts and the complete resumption of civilian activities will be most difficult. But we also know that the resources of the Nation in materials, manpower, plant facilities, and purchasing power are sufficient to sustain an economy of a finer and better type than we ever enjoyed before the war.

A period of prolonged unemployment would induce people to cut down their purchases of consumer goods at the very time when their buying should increase and investments should be made for working capital. If the public should sit tight and wait until they know whether unemployment will last indefinitely, a period of hand-to-mouth buying would result. This in turn would cause retrenchment which would have far-reach-

ing consequences even worse than the dizzy spiraling effect of inflation.

We have won complete military victory. We are now beginning the fight for maximum peace production. To win it we must promote the same national unity we achieved in war and the same extensive utilization of the Nation's manpower.

Therefore, the problem of discrimination in employment stems from the basic fact that the full utilization of the Nation's manpower is as great a problem in peace as it is in war. When discrimination is practiced in employment against properly qualified persons for reasons of race, color, creed, or ancestry, it deprives us of the fullest measure of our production potential. It lowers the standard of living. It reduces purchasing power and in general it retards economic progress. Surely it interferes with maximum employment.

Of all forms of discrimination, the type affecting economic livelihood is perhaps the most serious. It strikes at the very right to survival, since it deprives a man of the opportunity of making a living for himself and his family.

During the war there have been plenty of jobs and everywhere we heard talk of manpower shortages. But what will we do when jobs are not so plentiful? Are we going to sit by and wait for bitter competition to break out again and allow the evil hand of prejudice to close up outlets for the skills and abilities of our minority groups? Is it not wiser to act now and plan ahead, laying the foundation for genuine equality of opportunity for all groups that make up this great country?

Under Senate bill 101 management is left free to determine, as it always has, its own hiring, promotion, and discharge policies so long as there is no arbitrary discrimination because of race, color, creed, or national origin. Also labor unions remain free to manage their affairs in their own way, provided they do not deny the advantages of union membership and collective bargaining for reasons of race, color, creed, or national origin. But let us bear in mind that the FEPC does not attempt to outlaw prejudice. Prejudice is a human emotion and cannot by mere legislation be removed from the heart and mind of mankind. But Senate bill 101 does try to prevent overt acts of discrimination in employment and surely that is only just and right.

The Declaration of Independence is a statement of the basic principles of democracy, political and economic. The Constitution of the United States, with the Bill of Rights and the Civil War amendments, has embodied the political democracy of America. It is not yet fully realized, but its essential working is guaranteed. The permanent FEPC, as embodied in Senate bill 101, constitutes the implementation of our political democracy with industrial democracy. It is the long-awaited evidence that American democracy has come of age and that here in these United States we shall practice what the world hopes will eventually be realized—an equality of opportunity for men of all races, creeds, and origins.

Mr. President, we must see to it that this issue of economic opportunity is determined by the Congress. We cannot be fully satisfied that we are carrying out the philosophy of the Atlantic Charter or the "four freedoms," one of which is freedom from want, if we do not endeavor to the best of our ability to set an example for the world, and strive to eliminate the causes of discrimination in economic opportunity by setting up an instrumentality of government, guided by the Chief Executive and carefully supported, as the years go on, by recurring appropriations by Congress. It will be an agency in which I think we will take justifiable pride. It will be an agency which will have to report to us at frequent stated intervals. It will have to come before our committees and go into detail as to the record which it has made in order to secure recurring appropriations.

Mr. President, in the course of my comparatively brief talk this afternoon I hope that I have in nowise offended the feelings of any of my colleagues or said anything derogatory of any citizen of the United States, or any organization with which he may happen to be affiliated. I trust that I have kept within the rule. Surely I have meant no wrong, and I am thankful that I have had this opportunity to discuss the bill, answering, in the course of this rather brief talk, some of the general objections.

Mr. President, I subscribe to the tenets of this measure. In doing so, it occurs to me that I ought to be as considerate of my colleagues, of my fellow citizens, and of the membership of the other House of Congress as I can possibly be.

I yield the floor, in the hope that at another opportunity I shall have occasion to discuss with my colleagues the various objections which they may have thought of from time to time in connection with my talk.

Mr. RUSSELL and Mr. CHAVEZ addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from New York yield; and if so, to whom?

Mr. MEAD. Mr. President, I wish to yield the floor as an example of that conduct which I hope will become popular here, so that we may get down to the bottom of the question when the measure is before the Senate.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MEAD. I yield for a brief question.

Mr. CHAVEZ. I believe that the Senator from New York made his main point in reference to the philosophy of the bill when he called the attention of the Senate to the fact that the bill represents the philosophy of a democracy as outlined by the Declaration of Independence and by the Constitution of the United States. I now ask if the point made by the Senator from New York fits in with the great idea which has been developed of late in the United States, of molding the mind of a little child along the lines of what America means when he swears allegiance to the flag?

I pledge allegiance to the flag of the United States of America, and to the Republic for

which it stands, one Nation, indivisible, with liberty and justice for all.

How does that fit the philosophy of this bill?

Mr. MEAD. My distinguished colleague has presented the question better than I could.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MEAD. I yield for a brief question or observation.

Mr. RUSSELL. I wish to ask the Senator some questions.

Mr. MEAD. I shall be glad to yield for a question; but I am not going to yield for a series of interrogations unless my colleague from Georgia will assist me in bringing the bill before the Senate.

Mr. RUSSELL. Of course, the Senator from New York is wholly within his rights in taking that position. I have been undertaking to defend the rights of Senators on this floor for several days, so I certainly shall not complain. I understood the Senator from New York to say at the outset of his remarks that he did not wish to be interrupted. That is a rather unusual request.

Mr. MEAD. I shall be glad to yield for a question, but I will not yield for a series of interrogations which will delay the time when the bill will be considered. I yield to the Senator from Georgia for a question.

Mr. RUSSELL. If the Senator will yield for questions, I shall be happy to phrase them as questions. One or two issues were presented by the Senator from New York which I should like to discuss with him.

Mr. MEAD. The Senator will have ample opportunity to discuss them with me at great length if he will aid me in bringing the bill before the Senate.

Mr. RUSSELL. The Senator from New York has been discussing the bill for a considerable time without its being before the Senate.

Mr. MEAD. The Senator from New York has discussed the bill for approximately an hour. Those on the other side have been discussing the bill for approximately a week.

Mr. RUSSELL. I am not complaining at the length of time the Senator consumed in discussing the bill. He made a very eloquent appeal to the emotions, upon which all the appeals in behalf of this legislation have been based. I enjoyed hearing him. I listened to every word he said. He made a very eloquent appeal to the emotions.

The Senator from New York has declined to discuss the questions which have been raised, but he certainly seems to base his refusal on rather specious grounds. After speaking for an hour, he says that he will not debate the matter further unless the bill is before the Senate. He has that right.

Mr. MEAD. Mr. President, I trust that my position will aid in expediting consideration of the bill. That is the only thought I have in mind.

Mr. RUSSELL. It seems to me that the same amount of time would be consumed whether the bill were under consideration or whether the pending question were a parliamentary motion relating to the Journal. The time of the

Senate would be consumed, whatever might be the parliamentary situation.

Mr. O'DANIEL obtained the floor.

Mr. RUSSELL. Mr. President, without jeopardizing the rights of the Senator from Texas to the floor, I ask that for a quorum call, Senators should be present. Those of us who are opposing the bill are required to remain in the Chamber, and I believe that the proponents of the bill should be present.

The PRESIDENT pro tempore. Does the Senator from Texas yield for that purpose?

Mr. O'DANIEL. I yield for any purpose the Senator from Georgia desires.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CHAVEZ. I thought the Senator had asked unanimous consent, and that the Chair would put the request.

The PRESIDENT pro tempore. As the Chair understood, the Senator from Georgia suggested the absence of a quorum.

Mr. RUSSELL. I did, Mr. President.

The PRESIDENT pro tempore. Thereupon the Chair directed that the roll be called.

Mr. CHAVEZ. I misunderstood. I thought the Senator from Georgia had asked unanimous consent.

Mr. RUSSELL. No; I suggested the absence of a quorum. It is still a constitutional right to suggest the absence of a quorum. The Constitution mentions a quorum, and the right to suggest a quorum cannot be abolished by a point of order.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Myers
Austin	Hickenlooper	O'Daniel
Bailey	Revercomb	Revercomb
Bankhead	Hoey	Robertson
Barkley	Huffman	Russell
Bilbo	Johnson, Colo.	Saltonstall
Brewster	Johnston, S. C.	Shipstead
Briggs	Langer	Smith
Butler	McCarran	Stanfill
Byrd	McClellan	Thomas, Utah
Chavez	McFarland	Tobey
Cordon	McKellar	Tydings
Donnell	McMahon	Wherry
Eastland	Maybank	White
Ellender	Mead	Wiley
Ferguson	Millikin	Willis
Gerry	Morse	Young
Hart	Murray	

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. A quorum is present.

Mr. O'DANIEL. Mr. President, I wish to assert at the beginning of my remarks that I am opposed to the FEPC. I also wish to make it clear that I congratulate the little group of Southern Democratic Members of the Senate who are endeavoring to save what is left of our democracy and our constitutional form of Government. I am glad to note that as a result of the roll call which has just been had, there are now a few more Senators present in the Chamber. There

have been very few here in the Chamber today, although while they were absent splendid words of wisdom were spoken which I wish they might have heard. However, whether Senators had responded to the roll call or not I should be very happy in noting the audience in the gallery, and especially the mixed audience of white and colored folk. Their presence makes me feel at home. During my campaigns in Texas some pretty large crowds attended the meetings which were held, and the colored folk were present as well as white folk. They seemed to enjoy the entertainment just as much as did the white folk. I certainly enjoyed their presence. Of course, the colored folk in Texas may vote if they wish to do so, but many of them do not vote. I may also say that many white folk do not vote in Texas. We have the poll tax in that State and it costs \$1.75 for a person to vote. If some of our white folk do not wish to vote, they do not vote. Some of them think that it is not worth \$1.75 to vote. But, anyway, whether they vote or not, the colored people in Texas used to come to our gatherings and hear what we had to say. They had been used to listening to the professional politicians in Texas and when they were enabled to come to a gathering and listen to a person who was making a good, honest campaign, they took advantage of the opportunity. I did not get the votes of those colored people, but I received their prayers. I want everyone to know that I appreciated the prayers of the colored folk as much as I appreciated the votes of the white folk.

Mr. President, I was born in the North. I chose Texas as the State of my residence on my own volition. I did not happen to be a Southerner by birth. I paid my railroad fare and went to Texas. I am glad that I did so, because I believe that the State of Texas is the greatest State of the Union. I believe the section of America covered by the State of Texas is the greatest section on earth. Nothing that I might say in favor of Texas could truly be said to be bragging, or exaggeration, because no exaggerated statement could be made with reference to that State. Texas is a wonderful State. I make that statement so that anything I say against the FEPC will not be construed as an infringement of the rights of the colored race. In the South we like the colored folk and they like us. Each of us keeps his place. I do not know what we would do without them or they without us. We get along well, but we do not live together. We do not marry each other. The colored people in Texas are proud of their race. They are just as proud of their race as the white people are proud of their race. I say, "Every man for his own country; every man for his own race, without infringing upon the rights of others."

That is the reason, Mr. President, that America has grown as it has grown during the past 150 years of its existence up until the time the New Deal took hold. Every American citizen, whether he was white or black, had equal opportunities, equal rights, and equal privileges. If the New Deal thinks that it can improve upon that situation, it is mistaken because America, at the time the New

Deal took over, was the greatest Nation on the face of the earth. I regret that a small group of Southern Democratic Senators are mixed with some other Democratic Senators who are not of the same type, not of the Jeffersonian philosophy.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. EASTLAND. If I understand the Senator correctly, he is an anti-New Dealer. Am I correct?

Mr. O'DANIEL. If I did not make that implication clear, I am glad to say that I am against the New Deal. I am a Democrat. Practically all Democrats of whom I know are against the New Deal. Some people are and have been misled under the banner of the Democratic Party and led to believe that the party was practicing the philosophy of Jefferson, but in reality it was practicing the philosophy of the New Deal. I am an anti-New Dealer and an anti-FEPC'er.

The colored folk have been deceived so much that they like to know the truth. I know that when I was campaigning down in Texas the professional politicians there had gotten the State into terrible shape by creating a large public debt. We had a constitutional amendment which prevented a public debt in Texas, but the professional politicians found a way to get around that amendment. They did not call it a "public debt"; they called it a "deficit." That is a nice word, "deficit." Everyone in Texas is intelligent, and the people know what "deficit" means, but they did not pay much attention to it. It did not arouse their ire so much then as it did when I got into the campaign and told them that the professional politicians had been writing "hot" checks on the State treasury to the tune of about twenty-five or thirty million dollars. They got their dander up right then. They would put up with a deficit, but they did not like the idea of professional politicians in the statehouse writing "hot" checks, when if any common citizen wrote a "hot" check he would be put in the penitentiary.

Mr. CHAVEZ. Mr. President, will the Senator yield for a brief question?

Mr. O'DANIEL. I yield to the Senator for a brief question, or any other kind of question.

Mr. CHAVEZ. Were the politicians to whom the Senator refers Democrats or New Dealers?

Mr. O'DANIEL. They were mostly New Dealers, I am sorry to say, some of them cross-breeds. But when we call anything by its right name, most people understand it, so they understood when I told them the politicians had been writing "hot" checks, which is what they were doing. When they did not have the money in the treasury, they would write checks to pay State bills, but whoever received one of the checks would have to hold it until the money was available in the treasury, or discount the check.

After I became Governor, I recommended a constitutional amendment which would prevent State officials from writing "hot" checks on the State treasury. Of course, the people ratified the amendment as soon as it was submitted

to them, although it was opposed by the New Deal Democratic committee in Texas prior to the election. But the people there are smart. They know what they want.

Whenever the Legislature of Texas makes an appropriation, before the appropriation bill goes to the Governor for his approval, it must go to the State comptroller, who must attach an affidavit to the bill that the money with which to pay the appropriation will be on the barrel head. If he does not attach his certificate, the bill does not go to the Governor, it goes back to the legislature, and it has to pass a tax bill to raise the money, or cut down the appropriation.

So Texas is not going the New Deal route, getting in debt head over heels. I wish we had a law in the Federal Government like the Texas law. We would not be in debt \$275,000,000 or \$300,000,000 if we had a law like that on the Federal statute books. I am not bragging about Texas, I am telling the facts.

It pays to tell the truth, and I want to tell the colored folk of this Nation that this FEPC is not an economic question at all, regardless of what it may have been called on the floor of the Senate. It is purely and simply a trick to try to steal the votes of the northern Negroes. It is a contest between the northern Republicans and the northern Democrats to steal the Negro votes. That is what it is in plain, ordinary language. Almost everyone understands that kind of language, just plain Texas language. However, I have not gotten down to plain Texas language yet. That would not be permitted on the floor of the Senate; it would have to be used outside.

It is against the rules of the Senate to impugn the motives of any other Senator, and I do not intend to do that; I wish to obey the rules of the Senate. I may refer to some of the bills which are introduced in the Senate, but I am not going to impugn the motives of any Senator who supports the kind of bill I am going to call the bill before us, because I want to obey the rules of the Senate. If I should say anything which might sound as if I were speaking about any Member of the Senate, it would be purely coincidental.

Mr. President, I think I can describe the bill better by telling a story. It is reported that a few years ago in one of the Northern States a group of bad white boys threw a skunk into a Negro camp meeting. It created quite a stir. The good brethren tried to throw the skunk out, just as the good brethren here are trying to throw this FEPC bill out. I would not exactly say they threw a skunk into the Senate, but I will say that when they threw this FEPC bill in, they threw in something which stinks worse than a skunk. Why do they call it S. 101? There may be some significance in the "S" which precedes the "101."

Many have been wondering, ever since the episode of those white boys throwing the skunk into the Negro camp meeting, what happened to those white boys after they grew up. The supposition might be that they became politicians

and were elected to some great legislative body.

Mr. President, the Senators who sponsor or support the Unfair Employment Practice Commission bill may be sincere. I do not say they are not sincere. I knew a girl once who was sincere, and she married a cruel beast of a man. She did not know what he was until after she was married. She made a mistake. So we will find out what this FEPC bill is if it ever should become a law, which God forbid.

My mail indicates that many sound-thinking people recognize that the question raised by this bill is not an economic problem, but is purely political. As I stated a while ago, it is a contest between certain office seekers to get Negro votes.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. O'DANIEL. I am glad to yield to the Senator from Mississippi.

Mr. EASTLAND. Does the distinguished Senator know that a few nights ago, on the night of January 17, at a meeting held at the Asbury Methodist Church in the city of Washington, at Eleventh and K Streets, a meeting entitled "To Save FEPC," the principal speaker was one Benjamin J. Davis, a Negro Communist councilman from the city of New York, and that in his speech he stated that the agitation for FEPC was coming from Moscow, and what did they care if Moscow got them the FEPC?

Mr. O'DANIEL. No, I did not know that; but I am firmly convinced that the philosophy of this FEPC bill is purely communistic, and I should not be surprised to learn that it originally came from Moscow. However, as I have stated, I do not claim that everyone who supports the bill is communistic.

Mr. EASTLAND. The point was that the agitation and the driving power were being directed from Moscow.

Mr. O'DANIEL. I think the whole thing was generated in Moscow and that everything emanating from Moscow is a part of the program to overthrow our American form of government.

Mr. President, it may not be unfair practice for professional politicians to fight verbally for votes, but it certainly is unfair practice to misbrand a bill. This bill is certainly misbranded. It is strictly an unfair employment practice bill, erroneously labeled a fair employment practice bill.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield for a question.

Mr. WHERRY. Did I understand the Senator from Mississippi to say that this fair employment practice bill originated in Moscow?

Mr. EASTLAND. No.

Mr. WHERRY. Just what did the Senator say?

Mr. EASTLAND. I stated that on the night of January 17 a meeting was held at Asbury Methodist Church, in the city of Washington, a church located at the corner of Eleventh and K Streets, a meeting called for the purpose of saving FEPC; that one Benjamin J. Davis, a Negro Communist city councilman of the city of New York, stated there that the agitation for FEPC was being directed from Moscow, and what did the audience

care if Moscow secured for them the FEPC.

Mr. CHAVEZ. Mr. President, will the Senator from Texas yield to me so I may ask the Senator from Mississippi a question?

Mr. O'DANIEL. I am glad to yield to the Senator from New Mexico so he may ask a question of the Senator from Mississippi?

Mr. CHAVEZ. Has the Senator from Mississippi reached the point now where he has faith in the statement of a Negro?

Mr. EASTLAND. I simply stated that that statement was made on that occasion by the councilman from the city of New York. I know that communism breeds on strife and discord, and because I know that it attempts to array race against race and religion against religion and class against class and bring disunity into any country, so that it can in the chaos which it has created take control, I am absolutely confident that the driving power here comes from the Communist Party.

Mr. CHAVEZ. And the statement was made by a Negro?

Mr. EASTLAND. The statement that I related was made on that occasion by the Negro Communist councilman of the city of New York.

Mr. CHAVEZ. So the Senator has reached the point where he believes the statement of a Negro Communist councilman from New York?

Mr. EASTLAND. As I told the distinguished Senator, I know that all this agitation and arraying of race against race and class against class and religion against religion and person against person, and creating strife and turmoil, is the communistic way of taking control of any area. I know that that is what is happening in this country, and this measure has all the earmarks of being a part of that plot.

Mr. O'DANIEL. I may say further to the Senator from New Mexico, although he did not direct his question to me, that I would rather take the word of a colored man who is being robbed of his vote than I would the word of a white man who was stealing the colored man's vote by trickery.

Mr. CHAVEZ. I was asking the Senator from Mississippi whether he had reached the point in life where he had confidence in the statement of a so-called Negro Communist from the city of New York.

Mr. EASTLAND. I think the Communist Negro Councilman Davis was telling the truth on that occasion.

Mr. WHERRY. Mr. President, will the Senator from Texas yield for another question?

Mr. O'DANIEL. Yes, I am glad to yield to my friend the Senator from Nebraska, because I realize that he is at heart against this kind of legislation, but because of his Republican label, he is going along with the boys. I think he is one of the finest Senators in the Senate, and I want to "brag on him."

Mr. WHERRY. With that very flattering testimonial I should like to ask another question of the distinguished Senator from Mississippi.

Mr. O'DANIEL. The Senator has my permission.

Mr. WHERRY. It came to my attention today in the way of information relayed to my office, that this bill was sponsored by the Political Action Committee of the CIO. Does the Senator care to make an observation on that subject, inasmuch as he has answered another question I asked? I should like to have the Senator go on record, if he has an observation to make in reference to that question, because I think these things ought to be brought out into the open, and if this bill is sponsored by the CIO Political Action Committee we should know it.

Mr. EASTLAND. In my opinion CIO is communistic. In my judgment the Political Action Committee of the CIO is merely an arm of the Communist Party. I know that the PAC—I say I know—I have seen the figures to the effect that the PAC was aligned officially with 147 Communist front organizations. I am advised that that is true by employees of the Un-American Activities Committee. When I speak of communism and the Political Action Committee of the CIO, I think they are one and the same thing. There are millions of good, loyal Americans who belong to the CIO, but its leadership is communistic and its leadership is rotten to the core, and I think it is bent upon destroying America.

Mr. WHERRY. Mr. President, will the Senator from Texas yield for one more question?

Mr. O'DANIEL. I am glad to yield to the Senator from Nebraska for that purpose.

Mr. WHERRY. I appreciate the answer made by the distinguished Senator from Mississippi. I should like to ask him another question. In connection with his activities in investigating this proposed legislation can the Senator put his finger on a member of the Political Action Committee who has actually sponsored the legislation and is promoting it in the Halls of the Capitol Building?

Mr. EASTLAND. Of course representatives of the PAC—

Mr. CHAVEZ. I think I can answer, if the Senator from Texas will permit me.

Mr. EASTLAND. Mr. President, the Senator from Nebraska asked me the question.

Mr. O'DANIEL. Mr. President, I yielded to the Senator from Mississippi to answer the question.

Mr. EASTLAND. Of course no representative of the PAC would call on the Senator from Mississippi, but the newspapers are full of information that it is sponsored by them. I read their newspapers. I read their periodicals. When I see the activities of some of our friends there is no doubt in my mind about it.

Mr. WHERRY. I want to thank the Senator for his answer. I should like to ask another question, this time of the Senator from New Mexico, if the Senator from Texas will yield for that purpose.

Mr. O'DANIEL. Certainly; I am glad to yield to the Senator from Nebraska in order that he may ask a question of the Senator from New Mexico, the author of the bill.

Mr. WHERRY. I want to ask if the Senator from New Mexico knows any member of PAC who has been identified as the representative of that committee of the CIO in sponsoring this legislation?

Mr. CHAVEZ. I do not know one single member of the PAC as such. I do know that representatives of the CIO, as such, appeared before the committee and spoke in favor of the bill. I also know that representatives of the American Federation of Labor appeared before the committee in favor of the bill. I do not know a single man connected with the PAC. Not a single member of it appeared before the committee.

Mr. WHERRY. Mr. President, will the Senator again yield?

Mr. O'DANIEL. I yield to the Senator from Nebraska.

Mr. WHERRY. I am not a proponent of this measure, but I have gone along, as Senators know, to expedite the matter. I should like to ask the distinguished Senator, if it is not too personal a question, if he drafted the pending legislation?

Mr. CHAVEZ. That is a fair question and I will answer it. I drafted this legislation, yes; with as much honesty and as much sincerity of purpose as any legislation that has been drafted with the cooperation of the Senator from Nebraska.

Mr. WHERRY. And to the Senator's knowledge in drafting the legislation it had no connection with any suggestion made by members of PAC, representative of the CIO?

Mr. CHAVEZ. Except as they might have belonged to the CIO.

Mr. WHERRY. I understand that.

Mr. CHAVEZ. So far as labor organizations were concerned CIO appeared before the committee and testified in the presence of the Senator from Vermont [Mr. AIKEN], who cannot be accused of being a Communist any more than can the Senator from Mississippi; in the presence of the Senator from Kansas [Mr. CAPPER]; in the presence of many other Senators. Not only that, I do not care what Senators tell me, but Bishop G. Bromley Oxnam, of the Federated Churches of Christ in America, is not a Communist, and he appeared before the committee. No one accuses him of being a Communist. Members of almost every other denomination appeared before the committee. Let me tell the Senator from Nebraska, with the indulgence of the Senator from Texas, if he will permit me—

Mr. O'DANIEL. I am glad to.

Mr. CHAVEZ. The redeeming feature, the real thing that inspired us to vote to report this bill was that for the first time in the history of legislation we did not have a divided clergy. We had the Protestant, the Catholic, the Jew, and the unbeliever fighting for democracy, as we understand it in America. Representatives of practically all religions appeared before the committee and testified.

Mr. EASTLAND. Mr. President, will the Senator yield to me for a question?

Mr. O'DANIEL. I yield.

Mr. EASTLAND. The Senator from New Mexico said there was not a divided clergy in connection with this bill. I

should like to read to the Senator a letter from the American Council of Christian Churches, 15 Park Row, New York 7, N. Y. The letter is dated January 25, 1946, and is as follows:

DEAR SENATOR EASTLAND: Permit this organization to voice a very earnest protest against the fair employment practice bill, which, if passed, would result in distressing regimentation.

The attached resolution will, we hope, be of interest to you. It has been gratifying to see the wisdom and courage of southern Senators in particular who are opposing the measure. If representatives of this council could be of any service sitting with committees, or in any other way, in blocking the passage of this undesirable bill, they would be only too glad to go to Washington for that purpose.

Cordially yours,

WM. HARLES BORDEAUX,
General Secretary.

This is a copy of the resolution unanimously adopted by the American Council of Christian Churches meeting at St. Louis, October 1945:

We oppose passage of the national fair employment practice bill. This is basically a spiritual problem. We hope that the issues concerned will be given careful and mature consideration by the Christian people of the land.

The proposed legislation would abolish the free labor market—

I ask Senators to mark that—

would abolish the free labor market and take a long step toward the totalitarian State. It attempts to force by law what can only be secured by the patient processes of education and growth. It is, therefore, subversive to its alleged aims and will sharpen rather than moderate racial differences.

I submit to the distinguished Senator from Texas that it is certainly true that the passage of this bill will sharpen rather than moderate racial differences. The resolution continues:

From the strong support given this measure by Communists and left-wing forces—

I ask Senators to get that—

From the strong support given this measure by Communists and left wing forces, whose technique is to stir up rather than to solve racial problems, we conclude that they desire to bring confusion into our national life in an effort to supplant our free system with Marxian totalitarianism.

It is our profound conviction that only as men are born from above by the power of God through faith in Jesus Christ will they be able to live in completely right relations with each other.

I submit to the distinguished Senator from New Mexico that that is a resolution by one of the greatest church organizations in the country. Certainly the Senator cannot successfully contend that there is no division among the clergy or churches of the country over this bill.

Mr. CHAVEZ. I did not say that.

Mr. O'DANIEL. I thank the Senator.

I wish to call attention to the fact that not only does this kind of legislation stir up strife and increase animosity between the various races but it is creating strife and stirring up animosity and downright hatred among people of the same race.

CONSIDERATION OF EXECUTIVE CALENDAR

Mr. BARKLEY. Mr. President, will the Senator from Texas yield to me?

Mr. O'DANIEL. I am glad to yield with the understanding that unanimous consent may be granted that I shall not lose the floor.

Mr. BARKLEY. Certainly.

Mr. O'DANIEL. I yield with that condition.

Mr. BARKLEY. Mr. President, I ask unanimous consent, as in executive session, for the consideration of the Executive Calendar at this time, without prejudice to the rights of the Senator from Texas.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky? The Chair hears none.

First, the Chair wishes to lay before the Senate certain messages from the President of the United States.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. The clerk will state the nominations on the executive calendar.

REGISTER OF LAND OFFICE

The legislation clerk read the nomination of Mrs. Eudochia Bell Smith to be register of the land office at Denver, Colo.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

WAR DEPARTMENT—ASSISTANT SECRETARIES OF WAR

The legislative clerk read the nomination of Howard C. Petersen to be Assistant Secretary of War.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of W. Stuart Symington to be Assistant Secretary of War.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE TAX COURT OF THE UNITED STATES

The legislative clerk read the nomination of Byron B. Harlan to be judge of The Tax Court of the United States for the unexpired term of 12 years from June 2, 1936.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES MARITIME COMMISSION

The legislative clerk read the nomination of Richard Parkhurst to be a member of the United States Maritime Commission.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The legislative clerk read the nomination of John D. Hill to be United States attorney for the northern district of Alabama.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Patrick J. Gilmore, Jr., to be United States attorney for division No. 1 of Alaska.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The legislative clerk read the nomination of August Klecka to be United States marshal for the district of Maryland.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COLLECTORS OF CUSTOMS

The legislative clerk read the nomination of Craig Pottinger to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Louis T. Rocheleau to be collector of customs for customs collection district No. 5, with headquarters at Providence, R. I.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

SELECTIVE SERVICE SYSTEM

The legislative clerk proceeded to read sundry nominations in the Selective Service System.

Mr. BARKLEY. I ask that the nominations in the Selective Service System be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Selective Service System are confirmed en bloc.

UNITED STATES COAST GUARD

The legislative clerk read the nomination of John H. Cornell to be commodore, for temporary service in the United States Coast Guard, to rank from January 1, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John S. Baylis to be commodore, for temporary service in the United States Coast Guard, to rank from January 1, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the Army nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the Army nominations are confirmed en bloc.

FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the foreign service.

Mr. BARKLEY. I ask that the nominations in the foreign service be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the foreign service are confirmed en bloc.

That completes the calendar.

Mr. BARKLEY. I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith of all nominations confirmed today.

Mr. BARKLEY. I thank the Senator from Texas.

Mr. O'DANIEL. I am glad to have had the opportunity to accommodate the majority leader by yielding to him.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. O'DANIEL. Just a moment, and then I shall be glad to yield again to the Senator from Nebraska.

Mr. President, at the opening of my remarks I stated that if one tells the truth it accomplishes much more than beating around the bush. It seems that the few plain remarks which I have made brought forth a great deal of discussion directed to the very heart of the bill. I appreciate the questions asked by the Senator from Nebraska [Mr. WHERRY] of the Senator from New Mexico [Mr. CHAVEZ], in his honest endeavor to ascertain whether or not the CIO, the PAC, or the Communists had anything to do with writing the bill.

For the purpose of clarifying the RECORD, Mr. President, I invite attention to the fact that the bill states on its face that it was introduced by the Senator from New Mexico [Mr. CHAVEZ] for himself, the Senator from California [Mr. DOWNEY], the Senator from New York [Mr. WAGNER], the Senator from Montana [Mr. MURRAY], the Senator from Kansas [Mr. CAPPER], the Senator from North Dakota [Mr. LANGER], and the Senator from Vermont [Mr. AIKEN]. I would not wish to make any insinuations whatever that any of the Senators whose names appear on the bill as coauthors are in any way connected with the Communist party, the CIO, or the PAC. I hope that no one will gain that impression. The bill was introduced in all sincerity by the Senator from New Mexico and his associates, and that is where I wish to let the matter stand.

However, there are many who surmise that, because of the intense interest manifested by the Communists, the CIO, and the PAC, the bill represents their philosophy, although it might have been innocently written by some of the finest Members of this body. We all know—at least I know, and many others know—that the Communists and the CIO-PAC, in their effort to undermine our great constitutional form of government and destroy it, are very clever. They try to hide behind this person and that person. Some of them come out into the open, but the instigators of the crime stay in the background. They work in much the same fashion as do the gophers in my sec-

tion of the country. One can see the dirt moved, but he cannot see the gopher, although he knows he is there.

I now yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, I wish to thank the distinguished Senator from Texas, and also the Senator from New Mexico. These rumors are floating around. We might as well get to the heart of the question and ascertain the truth. I wish to clear up the question. I thank Senators who participated in the discussion. I hope that if there is anything else that can be added, it will be added. The questions which I have asked have come to me through suggestions made by persons who have come to my office and made certain allegations. I believe that the proponents of the measure have a perfect right to stand on the floor of the Senate and give us the facts about the proposed legislation. I for one wished to know, and I still wish to know, if this philosophy has come from Moscow, and whether it is introduced here by the Political Action Committee of the CIO. I think we have a right to know. I certainly agree with the distinguished Senator from Texas as to the ability and good purposes and intentions of the distinguished Senator from New Mexico and those associated with him in introducing the bill. However, I feel that a defense should be made to the allegation, and that it should be cleared up on the floor of the United States Senate.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'DANIEL. I am glad to yield to the distinguished Senator from New Mexico with the understanding that I do not lose the floor.

Mr. CHAVEZ. I wish to make a brief observation.

The Senator from Nebraska has been in public life long enough, and has been a Member of this body for a sufficient length of time to know that any fair question will be answered by any Senator on either side of the aisle. I have no apologies to make for the part I took in preparing the bill. I hope the Senator from Nebraska is not so naive as to believe the rumors which are floating around, which indicate a certain degree of guilt in certain Members of this body. No matter what the Senate does, there is bound to be criticism from some quarters. If the Senate passes a tax bill in the best of faith, some Senator will be accused of trying to protect someone.

Yesterday the Senator from Nebraska made a fine address on an important matter which should be discussed before the American people; but there is no doubt in my mind that someone somewhere will accuse the Senator of ulterior motives. All we need to do is to be clear in our own consciences, and let the rumors take their course.

Mr. WHERRY. I hope the distinguished Senator will not misunderstand me. The point was raised this afternoon when I asked the question as to whether or not the philosophy of the bill came from Moscow. I believe the Senator will recall that question.

Mr. CHAVEZ. Yes.

Mr. WHERRY. Inasmuch as the question has been raised by one of our most distinguished Senators, I wish to know the source of the rumors.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield to the Senator from Mississippi.

Mr. EASTLAND. Let me tell the distinguished Senator from Nebraska that while none of the authors of the bill has any connection with communism, the philosophy of the bill is certainly the philosophy of Moscow; and if I can obtain the floor before the debate is over I intend to speak on that point.

Mr. CHAVEZ. Mr. President, will the Senator from Texas yield to me?

Mr. O'DANIEL. I yield to the Senator from New Mexico for a question.

Mr. CHAVEZ. I wish my friend from Mississippi would get to the point of not believing rumors or coming to conclusions with respect to philosophies on the basis of rumors. So far as I am concerned—and I am sure that I speak for all the proponents of the bill and the majority of Senators, who would like to vote for the bill—we have no desire whatever to get away from the American system of government. I could, if I were so inclined, reach conclusions on the basis of statements made by persons who come to my office. I know that they are wrong when they accuse Senators who are opposing the bill of ulterior motives, when they accuse them of opposing the bill not because they are against communism, not because they want to protect the Constitution, but for political reasons. I do not wish to believe that. I want to believe that the Senator from Texas and the Senator from Mississippi are fighting the bill because they think it is wrong.

Mr. EASTLAND. Of course.

Mr. CHAVEZ. But do not accuse anyone of being a Communist merely because he supports the bill. There are plenty of rumors going around as to why certain Senators are opposing the bill; but it is not communistic.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield to the Senator from Mississippi.

Mr. EASTLAND. The Senator from Mississippi is not accusing the Senator from New Mexico or anyone else of ulterior motives in connection with the bill. I know that the Senator from New Mexico acted in good faith. However, the fact remains that the philosophy of depriving a man of the right of trial by jury and of other great safeguards to human liberty is the philosophy of Moscow. The debate has proved that under the terms of the bill American citizens would be deprived of their liberties. That is certainly the philosophy of Moscow. It is the philosophy of totalitarianism. It is the philosophy of the secret star-chamber trials which we have seen conducted in the Soviet Union.

The distinguished Senator from New Mexico is acting in entire good faith. He is honest and honorable. No one is accusing him of ulterior motives. However, the fact remains that the bill reflects the philosophy of Moscow; and the distinguished Senator from New Mexico was one of the first proponents of the

bill to admit the necessity of drafting changes in his own measure.

Mr. CHAVEZ. Mr. President—

Mr. EASTLAND. Mr. President, will the Senator from Texas yield to me for a moment, without prejudicing his right to the floor?

Mr. O'DANIEL. I yield.

Mr. EASTLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. Does the Senator from Texas yield for that purpose?

Mr. O'DANIEL. I yield.

Mr. CHAVEZ. Mr. President, will the Senator withhold his request for a moment, while I make an observation in answer to his remarks?

Mr. EASTLAND. Certainly.

Mr. CHAVEZ. Will the Senator from Texas yield to me for an observation?

Mr. O'DANIEL. I yield.

Mr. CHAVEZ. No one is more against the philosophy of the Communists than I am; and I have a right to come to that conclusion.

Mr. EASTLAND. Of course—

Mr. CHAVEZ. Pardon me. Let me finish.

A short while ago the Senator from Mississippi read a letter from a minister of the gospel, wherein he spoke of free labor markets. I am told that that is a communistic philosophy; that it is a thing that could happen in Russia, but not in the United States. However, I do not accuse the Senator from Mississippi of being for that philosophy merely because he read that letter.

Mr. President, I am not in favor of a free labor market. I am in favor of a market where those who work receive good pay which will enable them to maintain our American standards of living. I am not in favor of a free labor market such as the Senator from Mississippi favors.

Mr. EASTLAND. Mr. President, the Senator from New Mexico flees when no man pursues. No man has charged the Senator from New Mexico with being a Communist, but the fact remains that the philosophy of his bill is communistic.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield, if I may do so with the understanding that I do not lose the floor.

RECESS

Mr. CHAVEZ. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 37 minutes p. m.) the Senate took a recess until tomorrow, Friday, February 1, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 31 (legislative day of January 18), 1946:

NATIONAL MEDIATION BOARD

Frank P. Douglass, of Oklahoma, to be a member of the National Mediation Board for the term expiring February 1, 1949.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Melford G. Cleveland, Randolph, Ala., in place of M. G. Merchant, retired.

CALIFORNIA

John G. Walsh, Auburn, Calif., in place of W. A. Shepard, deceased.

Pansy Lockett, Calimesa, Calif. Office became Presidential July 1, 1945.

COLORADO

Grace Warren, Dillon, Colo. Office became Presidential July 1, 1945.

ILLINOIS

Martha Ramsey, Oak Forest, Ill., in place of J. W. Jesk, resigned.

IOWA

Harvey Mason, Deloit, Iowa. Office became Presidential July 1, 1945.

Anna M. Eikenbary, Fertile, Iowa, in place of C. E. Eikenbary, retired.

KANSAS

Mary Fanny Brown, Hardtner, Kans., in place of P. A. McCann, resigned.

Helen G. Noel, Muncie, Kans., in place of I. A. Wiles, resigned.

MAINE

Wilfrid L. Spruce, Milford, Maine. Office became Presidential July 1, 1943.

MICHIGAN

Elmer O. Hoyer, Dollar Bay, Mich., in place of A. G. Kindelan. Incumbent's commission expired February 2, 1942.

Pauline M. Wood, The Heights, Mich., in place of Ida Parker, retired.

MINNESOTA

Lydia M. Parsley, Brownsdale, Minn., in place of J. H. Risius, resigned.

MISSOURI

Dorothy B. Bohr, Easton, Mo., in place of G. F. Kimball, retired.

Bernadine M. Dickherber, Old Monroe, Mo., in place of W. G. Schacher, transferred.

MONTANA

Eleanor H. O'Connor, Livingston, Mont., in place of O. D. Clement, resigned.

NEBRASKA

Jeanette Reinmiller, Staplehurst, Nebr. Office became Presidential July 1, 1945.

Pauline N. Swett, Wood Lake, Nebr., in place of J. Q. Kirkman, transferred.

NEW JERSEY

Charles A. Osborn, Breton Woods, N. J. Office became Presidential July 1, 1945.

NEW MEXICO

Robert E. Jackson, Hobbs, N. Mex., in place of C. K. Johnson, resigned.

NEW YORK

Sherleigh L. Westerdahl, Gerry, N. Y., in place of B. E. Tompkins, retired.

Mildred F. Drennan, Kendall, N. Y., in place of P. E. Preston, resigned.

Bernard C. Putnam, Stockton, N. Y. Office became Presidential July 1, 1945.

Donald S. Sutphen, Valois, N. Y. Office became Presidential July 1, 1945.

Doris C. Frostdick, Waterport, N. Y. Office became Presidential July 1, 1944.

NORTH CAROLINA

Ella M. Felton, Macclesfield, N. C., in place of J. T. Winstead, retired.

NORTH DAKOTA

Sylvia L. Wright, Courtenay, N. Dak., in place of M. L. Pederson, removed.

OKLAHOMA

Mary F. Cavender, Porum, Okla., in place of J. V. Cavender, deceased.

OREGON

Bryan Dieckman, Myrtle Creek, Oreg., in place of M. H. Sitter, deceased.

PENNSYLVANIA

Jean E. McCue, Atlasburg, Pa. Office became Presidential July 1, 1945.

Loma Gwynne, Brownfield, Pa. Office became Presidential July 1, 1945.
 Agnes Duffy, Cardale, Pa. Office became Presidential July 1, 1944.
 Norman D. MacMullan, Center Square, Pa. Office became Presidential July 1, 1945.
 Besse Daugherty, East Millsboro, Pa. Office became Presidential July 1, 1944.
 Harriet B. Parkins, Elco, Pa. Office became Presidential July 1, 1945.
 Elisabeth L. Pierro, Hiller, Pa. Office became Presidential July 1, 1944.
 Edward R. Sparks, Indian Head, Pa. Office became Presidential July 1, 1944.
 Gertrude E. Shank, Normalville, Pa. Office became Presidential July 1, 1945.
 Leona S. Mansuy, Ralston, Pa. Office became Presidential July 1, 1944.
 Pete D. Lapenta, Uledi, Pa. Office became Presidential July 1, 1945.
 Robert B. Boerio, Wendel, Pa. Office became Presidential July 1, 1945.
 Harold P. Henry, Westland, Pa. Office became Presidential July 1, 1945.

SOUTH DAKOTA

Thomas E. Callan, Mitchell, S. Dak., in place of A. J. Rozum, resigned.
 Frank X. Clarey, Sisseton, S. Dak., in place of J. A. Robertson, removed.

TENNESSEE

Flora B. Williams, Buena Vista, Tenn. Office became Presidential July 1, 1944.
 Ervin M. Peters, Clarkrange, Tenn. Office became Presidential July 1, 1945.

TEXAS

Esther E. Walker, Blessing, Tex., in place of M. F. Selkirk, retired.
 Madison G. Wilson, Maypearl, Tex., in place of C. N. Hooser, retired.
 Hattie M. Stadden, Wilmer, Tex. Office became Presidential July 1, 1945.

UTAH

William A. Rhodes, Ferron, Utah., in place of Melvin Bryan, transferred.

WASHINGTON

John W. Weaver, Rochester, Wash., in place of P. B. Hoover, deceased.

WISCONSIN

Bessie L. Severson, Couderay, Wis. Office became Presidential July 1, 1945.
 Violet M. Witta, Iron Belt, Wis. Office became Presidential July 1, 1945.
 Stanley Jasicki, Weyerhauser, Wis., in place of F. L. Daniels, transferred.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 31 (legislative day of January 18), 1946:

FOREIGN SERVICE

APPOINTMENTS OR PROMOTIONS

Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Luxembourg

Vice Adm. Alan G. Kirk

Consul generals of the United States of America

Sydney B. Redecker
 Robert Lacy Smyth

Consuls of the United States of America

Merritt N. Cootes William Witman 2d
 Edward P. Maffitt Elbert G. Mathews
 S. Roger Tyler, Jr. Leon L. Cowles

PROMOTIONS IN THE FOREIGN SERVICE, EFFECTIVE
 DECEMBER 17, 1945

Foreign-service officers of class 1

Merwin L. Bohan Julian F. Harrington
 George H. Butler Harry C. Hawkins
 J. Rives Childs George D. Hopper
 Walter A. Foote Charles A. Livengood

George R. Merrell Harold Shantz
 John J. Muccio Edwin F. Stanton
 Alfred T. Nester Clifford C. Taylor
 Albert F. Nufer John Carter Vincent
 Christian M. Ravndal

Foreign-service officers of class 2

Donald F. Bigelow Thomas McEnelly
 Harry E. Carlson Warwick Perkins
 Cecil Wayne Gray Austin R. Preston
 David McK. Key Joseph C. Satterthwaite
 Marcel E. Malige

Foreign-service officers of class 3

Gilson G. Blake
 Leonard G. Dawson

Foreign-service officers of class 4

George M. Abbott Charles A. Hutchinson
 George D. Andrews John B. Ketcham
 Robert D. Coe George D. LaMont
 Charles H. Ducoté Rufus H. Lane, Jr.
 Archibald E. Gray James E. Parks
 Benjamin M. Huiley Eric C. Wendelin

Foreign-service officers of class 5

Earl T. Crain John Peabody Palmer
 Frederic C. Fornes, Jr. Elim O'Shaughnessy

Foreign-service officers of class 6

Hiram Bingham, Jr. Reginald P. Mitchell
 Walter J. Linthicum Paul H. Pearson
 Odin G. Loren

Foreign-service officers of class 8

V. Harwood Blocker Keeler Faus
 William H. Christensen Sidney K. Lafoon
 Clifton P. English Harry Clinton Reed
 Thomas S. Estes Terry B. Sanders, Jr.
 Merlin E. Smith

REGISTER OF LAND OFFICE

Mrs. Eudochia Bell Smith to be register of the land office at Denver, Colo.

WAR DEPARTMENT

ASSISTANT SECRETARIES OF WAR

Howard C. Petersen
 W. Stuart Symington

THE TAX COURT OF THE UNITED STATES

Byron B. Harlan to be a judge of The Tax Court of the United States for the unexpired term of 12 years from June 2, 1936.

UNITED STATES MARITIME COMMISSION

Richard Parkhurst to be a member of the United States Maritime Commission for the unexpired term of 6 years from April 16, 1942.

UNITED STATES ATTORNEYS

John D. Hill to be United States attorney for the northern district of Alabama.
 Patrick J. Gilmore, Jr., to be United States attorney for division No. 1 of Alaska.

UNITED STATES MARSHAL

August Klecka to be United States marshal for the district of Maryland.

COLLECTORS OF CUSTOMS

Craig Pottinger to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz.

Louis T. Rocheleau to be collector of customs for customs collection district No. 5, with headquarters at Providence, R. I.

SELECTIVE SERVICE SYSTEM

Troy W. Lewis to be Chief, Legal Division, Arkansas State headquarters, Selective Service System, with salary of \$5,180 per annum.
 Colgate Hoyt to be Assistant Chief, Veterans' Personnel Division, national headquarters, Selective Service System, with salary of \$6,230 per annum.

Louis Carl Pedlar to be information analyst, national headquarters, Selective Service System, with salary of \$5,180 per annum.

Edmund A. Flagg to be executive, Communications and Records Division, national headquarters, with salary of \$5,180 per annum.

IN THE ARMY

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

Thomas Jefferson Davis to be Assistant The Adjutant General, with the rank of brigadier general, for a period of 4 years from date of acceptance.

Roscoe Campbell Crawford to be Assistant to the Chief of Engineers, with the rank of brigadier general, for a period of 4 years from date of acceptance.

Thomas Bernard Larkin to be Quartermaster General, with the rank of major general, for a period of 4 years from date of acceptance.

To be assistants to the Quartermaster General, with the rank of brigadier general, for a period of 4 years from date of acceptance

George Anthony Horkan
 John Brandon Franks
 Herman Feldman

To be assistants to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance

Raymond Whitcomb Bliss
 George Corwin Beach, Jr.
 Edward Allen Noyes

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

To Quartermaster Corps

Lt. Col. Edwin Joseph McAllister.
 Lt. Col. Arthur Launcelot Moore.
 Maj. George Patrick O'Neill.
 First Lt. Charles Theodore Biswanger, Jr.

To Finance Department

Capt. Stilson Milton Smith, Jr.

To Ordnance Department

Lt. Col. Clarence Edward Jones.
 First Lt. Thomas Worthington Cooke.
 First Lt. Edison Albert Lynn, Jr.

To Signal Corps

First Lt. Olin Lee Bell.

To Infantry

Capt. Harvey Julius Jablonsky.
 First Lt. James Wetherby Graham.
 First Lt. Jules David Yates.

To Air Corps

Maj. Francis LeRoy Ankenbrandt.
 Capt. Lawrence McIlroy Guyer.
 Capt. Maurice Monroe Simo

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES, ARMY OF THE UNITED STATES

Butler Buchanan Miltonberger to be Chief of the National Guard Bureau, with the rank of major general, for a period of 4 years from date of acceptance, and major general in the National Guard of the United States, Army of the United States.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Henry Alfred Byroade to be a brigadier general.

UNITED STATES COAST GUARD

TO BE COMMODORES, FOR TEMPORARY SERVICE IN THE UNITED STATES COAST GUARD, TO RANK FROM JANUARY 1, 1946

John H. Cornell
 John S. Baylis

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 31, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Unto Thee, O King eternal, we come again to the solemn yet tender mystery of Thy throne. We believe that there is one God and one infinitely divine and holy Saviour through whose ageless sacrifice we are redeemed. We praise Thee for the Christ who has brought a loving Father out of the far-away and unseen

into the near and dear. We thank Thee that while Thy judgments are so often mysterious, yet they are merciful and gently correct us by that loving pity that gives us rest and peace. Be unto us an ever-present reality, and make Thy presence like unto the nearness of a true friend. Give us large conceptions of our office and a more profound knowledge of all things needful that we may rise above petty prejudices and narrow misunderstandings. Help us to bring the vision to the task, the revelation to the duty, and the truth to everything. In the name of our Saviour whom to know is life everlasting. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following letters, which were read:

HON. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the House Committee on the Public Lands.

Sincerely yours,

HARRIS ELLSWORTH.

HON. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the House Committee on Mines and Mining, and on Election of President, Vice President, and Representatives in Congress.

Sincerely yours,

HARRIS ELLSWORTH.

The SPEAKER. Without objection, the resignations are accepted.

There was no objection.

ELECTION TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I send to the desk a privileged resolution (H. Res. 502) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That WALTER NOBLEAD, of Oregon, be, and he is hereby, elected to the Committee on the Public Lands, the Committee on Patents, and the Committee on the Election of President, Vice President, and Representatives in Congress, of the House of Representatives.

The resolution was agreed to.

Mr. MARTIN of Massachusetts. Mr. Speaker, I send to the desk a privileged resolution (H. Res. 501) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That HARRIS ELLSWORTH, of Oregon, be, and he is hereby, elected to the Committee on Naval Affairs of the House of Representatives.

The resolution was agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHLNER. Mr. Speaker, I ask unanimous consent that on Tuesday next the gentleman from California [Mr. PHILLIPS] may address the House for 1 hour following the legislative business of

the day and special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. KEARNEY asked and was given permission to extend his remarks in the Record and include a letter.

OPEN LETTER TO CONGRESS

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COLE of Missouri. Mr. Speaker, I take this time to read to the Members of the House a letter I received from the world history class of the Tarkio (Mo.) High School which I consider as timely:

OPEN LETTER TO CONGRESS

TARKIO, Mo., January 27, 1946.

We, as a high school world history class, have been told it is our duty as Americans to stay on the job and attend school. We are accepting our responsibility and we wonder if you, our officials in Washington, are doing the same.

Now our Nation is experiencing the greatest strike in history. Why don't you do something about it? Our citizens have selected you to represent us during this trying period and we feel that you have let us down.

Not only that, our boys will soon be out of high school and they would like to know if they will be required to spend a year in compulsory military training. We realize that it takes time to collect the facts for such a major issue, but why so long?

Congress—Isn't 1946 election year? Of course you can't please all the people all the time—but why not try to please some of them now.

Yours very truly,

CAROLINE STEVENSON.

THE ILLINOIS POLITICAL SITUATION

Mr. MASON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, the dean of the House in length of service, the genial, kindly gentleman from Illinois [Mr. SABATH], expressed his pleasure over a decision of a court in Illinois because, as he said, "the fears and worries of the Republicans of Illinois were now over."

I want to reciprocate that expression and state that the basis of my reciprocation is this: Arthur Sullivan, former State Democratic chairman, appeared in court and said:

We are fearful that if all candidates were elected at large in Illinois this year, Chicago would not have any representation in Congress.

I am glad that the fears of the Chicago group are now dead and have faded out of the picture entirely.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MASON. Gladly.

Mr. SABATH. That means that Democrats as well as Republicans coming from Chicago would be defeated.

Mr. MASON. They would all be defeated.

Mr. SABATH. Chairmen are not always correct.

The SPEAKER. The time of the gentleman from Illinois has expired.

EXTENSION OF REMARKS

Mr. SCHWABE of Missouri asked and was given permission to extend his remarks in the Record and include an article appearing in this morning's Washington Post entitled "Henry Ford Tells the United States It Could Remove Trouble by Ending OPA."

Mr. WOODRUFF asked and was given permission to extend his remarks in the Record in three different instances, in the first to include a record by Frank Kent and in the second and third articles by Samuel Crowther.

LOAN TO BRITAIN

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, after listening to the President's message yesterday to the House in reference to the loan to Britain I have taken the liberty of sending a letter to the President of the United States, as follows:

JANUARY 30, 1946.

The President,

The White House,

Washington, D. C.

DEAR MR. PRESIDENT: After listening with deep interest to your message today in which you recommend to the Congress the approval of a \$3,750,000,000 credit to the United Kingdom, I concluded that it would be very helpful in my determination as to how to vote on such a measure if you would advise me as to whether the request for the United Kingdom will be followed by further requests of credits for other foreign nations.

Will there be a request for Russia, and for what amount? Will there be a request for France, and for what amount? Will there be a request for China, and for what amount? Will there be requests for other European nations, for South American nations, and for other Asiatic nations, and for what amounts?

Mr. President, I hope that in recommending the loan to the United Kingdom you are taking into consideration possible demands from other nations, and likewise the embarrassment which would accrue to us were we to grant a loan to the United Kingdom and not one to Russia and to the other powers.

Will you please supply me with the requested information at an early date, and thanking you in anticipation of it, I am

Sincerely,

PERMISSION TO ADDRESS THE HOUSE

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent that on Monday, February 11, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. CLEVENGER asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Washington Post.

Mr. HALE asked and was given permission to extend his remarks in the RECORD and include the text of the British Trade Disputes Act of 1927.

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address by Hon. John W. Hanes, former Undersecretary of the Treasury. I am advised that this will exceed the usual allowance, but I ask that it be printed, notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost the extension may be made.

There was no objection.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in two instances, and include resolutions adopted by the Common Council of the City of Milwaukee.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. DURHAM asked and was given permission to extend his remarks in the RECORD and include an article on hosiery.

Mr. LARCADE asked and was given permission to extend his remarks in the RECORD and include newspaper articles.

Mr. MCKENZIE (at the request of Mr. LARCADE) was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD and include a letter from the Retired Railway Employees.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. PRIEST. Mr. Speaker, yesterday I asked unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight, last night, to file a report. The report was unavoidably delayed, and I ask unanimous consent that that committee may have until midnight, tonight, to file a report on the bill H. R. 2764.

The SPEAKER. Is their objection to the request of the gentleman from Tennessee?

There was no objection.

FACSIMILE OF FRANKLIN DELANO ROOSEVELT ON NEW DIME

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, it seems very appropriate that in connection with the observance of the birthday anniversary of our late, great, beloved President Franklin Delano Roosevelt, that I call your attention to the fact that his facsimile is now on the obverse side of the new 10-cent piece, just issued yesterday by our mint. I knew this yesterday, and

had this one here with me, but I felt, by reason of that great masterpiece delivered by our majority leader, the gentleman from Massachusetts [Mr. McCORMACK], about the life of our late President that I should not then take any time to call it to your attention. Now, I am honored to have the privilege of so doing. Certainly, it is very appropriate that this great American citizen and President, whose efforts have always been directed toward the welfare of those suffering from polio and other physical handicaps, should have this significant recognition of his humanitarian interests and efforts by having the appropriate American dime carry his dignified likeness upon it. It is likewise a very happy occasion to have this occur on this birthday and in the midst of the annual march of dimes, by which money is raised to bless those attacked with the dread disease of polio.

His triumph over physical handicap was so significant and inspiring for a long term of years that I trust it will always be a living memorial to his love and sacrifice for those who also suffered physical limitation.

Several months ago I was privileged to urge that this appropriate 10-cent piece be improved in this manner. Thousands of citizens, not Members of this House, also did so and I am sure that, regardless of political party, the heart of America recognizes this sincere tribute as proper and powerful for good in the consciousness of our great Nation.

GI DISCRIMINATION

Mr. PACE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PACE. Mr. Speaker, on yesterday the War Department announced that the families of officers and the first three grades of noncommissioned officers could join their husbands in Europe, the expenses of transportation to be paid by the Government. I think it is most unfortunate that this privilege is not extended to the families of the GI's. Certainly, the enlisted man in Europe is just as anxious to see his wife and baby as is the officer of high rank and the noncommissioned officer. It may be, Mr. Speaker, that the fault partly lies in the law, as the act of June 16, 1942, permits the paying of expenses for the transportation of dependents only to the officers and the first three grades of noncommissioned officers. I feel so very deeply about this discrimination that I am today preparing and hope to offer during the day a bill to amend the law so that this privilege may be extended to the families of the GI's as well as to those of the officers and the noncommissioned officers. Certainly as between the two those to whom the privilege is now granted are more able financially to pay the expenses than are the GI's.

I hope my bill may have the immediate and favorable consideration of the Committee on Military Affairs and will be reported to the House for early enactment.

LOAN TO GREAT BRITAIN

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, the granting of the British loan, will not contribute to the establishment of peace and prosperity in the world, as was stated yesterday.

England will be unable to repay. Take paper and pencil and figure it out. Interest and principal installments will amount to over a hundred million dollars a year. If England is stone broke, how can she afford to pay that each year? She owes to the rest of the world probably \$14,000,000,000 or \$15,000,000,000. The pious hope was expressed that her creditors would scale down their debt. Britain owes India well nigh \$5,000,000,000. The price of reduction of that debt would be political independence. England would not dare pay this price.

When we demand repayment, we will again be called Uncle Shylock like the last time. Peace and prosperity between the two nations will not be cultivated. On the contrary, there will be more irritations than ever before. The escape clauses are broad enough to fly a B-29 clear through. They make of the agreement a farce.

Britain borrows at an interest rate of 1.62 percent but a GI borrowing must pay 4 percent.

THE STRIKE SITUATION

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, on the 9th of January I prophesied that all strikes of a major nature in this country would be over by the 19th of January, but my prophecy did not come true. The reason was, I believe, the support given to certain elements by Members of this Congress. When I heard that steel was going to be up at least \$4 per ton and that the OPA was being crucified, I understood why strikes were kept going along at a period that a person reading the lines of profit and loss could not fathom.

THE LATE HARRY HOPKINS

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a statement by the Honorable Winston Churchill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, Mr. Harry Hopkins has passed away. I do not think there has been any man in public life while I have been in Congress with whose political philosophies I have more thoroughly disagreed, but I believe in "rendering unto Caesar the things that are Caesar's." For that reason, I have taken this time to pay tribute to him by

inserting in the RECORD a statement by the Honorable Winston Churchill which appeared in the Washington Post of January 30, 1946. I do this in order that the country may read the estimate placed upon him by a man who met him at sword's length in intellectual conflict here, there, and yonder all over the world. The statement is as follows:

"A GREAT AMERICAN IS GONE FROM US"—
CHURCHILL PRAISES HOPKINS FOR SERVICE
TO WORLD CAUSE

MIAMI BEACH, FLA., January 29.—Former British Minister Winston Churchill tonight expressed profound grief at the death of Harry Hopkins, and declared "a great American is gone from us."

"A strong, bright, fierce flame has burned out a frail body," Churchill said in a statement issued here, adding:

"Few know better than I the services he rendered to the world cause. President Roosevelt had the gift of choosing generous and noble spirits to help him in peace and war."

"In Harry Hopkins he found a man not only of wide ranging vision but piercing eye. He always went to the root of the matter."

"I have been present at several great conferences where 20 or more of the most important executive personages were gathered together. When the discussion flagged and all seemed baffled, it was on these occasions he would rap out the deadly question: 'Surely, Mr. President, here is the point we have got to settle. Are we going to face it or not?'"

"Faced it always was and being faced, was conquered."

"He was a true leader of men, and alike in ardor and in wisdom in time of crisis, he has rarely been excelled."

"His love for the causes of the weak and the poor was matched by his passion against tyranny, especially when tyranny was for the time triumphant."

"To dynamic, compulsive and persuasive force he added humor and charm in an exceptional degree."

"We do well to salute his memory. We shall not see his like again."

Mr. Speaker, it may be said, and no doubt everyone here will admit, that no man alive today is more able to place a proper estimate upon the life, character, and ability of Mr. Hopkins, who during his long service in public office, suffered much criticism, uncomplainingly with a spirit of charity and forbearance and tolerance toward even those who criticized. May his spirit rest in peace.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—REPORT OF OPERATIONS UNDER LEND-LEASE ACT

The SPEAKER laid before the House the following message from the President of the United States which was read and together with the accompanying papers referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

To the Congress of the United States of America:

I am transmitting herewith the twenty-first report of operations under the Lend-Lease Act for the period ending September 30, 1945.

Until VJ-day, lend-lease and reverse lend-lease operated to speed the redeployment of our troops from Europe and to insure the final victory over Japan. This report primarily describes the extent of aid rendered under the Lend-

Lease Act prior to the cessation of hostilities. The surrender of Japan signaled the termination of lend-lease as a weapon for victory and prompt steps were taken by this Government to insure a rapid but orderly reduction of lend-lease expenditures and to bring to a close the employment of lend-lease procedures in supplying essential war needs to our allies.

Concurrently, negotiations have begun with many of the lend-lease governments looking toward a final settlement of the lend-lease and reverse lend-lease accounts. At the present time, such lend-lease negotiations have been successfully concluded with the United Kingdom, the largest single recipient of lend-lease supplies. The measures taken to wind up and settle the lend-lease program are outlined only briefly in this report but will be described in full in subsequent reports.

The master agreements that have been concluded with the various lend-lease governments contain the pledge that the terms and conditions of the lend-lease settlements are to be "such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations." In the process of terminating lend-lease and in carrying on our negotiations for final settlements with the various governments, these principles of article VII will be before us as a reminder of the goal which this Government must constantly seek.

HARRY S. TRUMAN.

THE WHITE HOUSE, January 31, 1946.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

JANUARY 31, 1946.

HON. SAM RAYBURN,

Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: Having been elected by the House to a vacancy on the House Public Buildings and Grounds Committee, I hereby tender my resignation as a member of the House Committee on Coinage, Weights, and Measures.

Cordially yours,

CLEVELAND M. BAILEY.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent that on Monday after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

Mr. CLARK. Mr. Speaker, I call up House Resolution 500 and ask for its immediate consideration.

CALL OF THE HOUSE

Mr. SABATH. Mr. Speaker, this is a very important matter. I believe the

Members would want to hear the resolution read. Therefore, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 15]

Baldwin, N. Y.	Fernandez	Morgan
Barry	Fisher	Morrison
Bates, Mass.	Fogarty	Mundt
Beckworth	Gardner	Norton
Bloom	Gossett	Pfeifer
Bulwinkle	Granger	Plumley
Canfield	Hancock	Poage
Cannon, Fla.	Harness, Ind.	Price, Fla.
Carlson	Herter	Reed, N. Y.
Chapman	Hill	Rivers
Clements	Hollifield	Rizley
Coile, Kans.	Hope	Robertson, Va.
Cooley	Johnson, Ill.	Robinson, Utah
Courtney	Johnson, Okla.	Roe, N. Y.
Crosser	Kefauver	Scribner
Curley	Kelly, Ill.	Sheridan
Dawson	LeFevre	Sundstrom
Dingell	Luce	White
Dondero	McKenzie	Wickersham
Engel, Mich.	McMillen, Ill.	Winter
Fellows	Mathews	Woodhouse

The SPEAKER. On this roll call 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes; that after general debate, which shall be confined to the bill and continue not to exceed 2 days, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Labor, the bill shall be read, and after the reading of the first section of such bill, it shall be in order to move to strike out all after the enacting clause and insert as a substitute the text of the bill H. R. 5262, and all points of order against such substitute are hereby waived; at the conclusion of the consideration of the bill H. R. 4908, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage, without intervening motion, except one motion to recommit, with or without instructions.

Mr. CLARK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and a little later I shall yield 15 minutes to the chairman of the Committee on Rules, the gentleman from Illinois [Mr. SABATH].

Mr. Speaker, this resolution relates to a highly controversial subject throughout the Nation. It is only natural that there should be here on the floor of the House a wide divergence of opinion because, after all, we are just a cross section of the American people. I feel that

it would be distinctly in the national interest if we here in the House might proceed dispassionately and in a spirit of reasonableness in our consideration of such a vital question. The subject is an exceedingly important one. I think the American people are watching what shall be done or what we shall fail to do to a degree that is altogether unusual. In my judgment, the House after 2 days of general debate and with as much time as it sees fit to take under the 5-minute rule where amendments may be considered, ought to be able to work its will in regard to this legislation. It is my judgment that under the rule now before the House it will have full opportunity of doing just that. I base that statement not only upon my own careful consideration of the rule, but upon the opinion of parliamentarians whose ability I can never hope to attain.

The rule provides for the consideration of the bill from the Committee on Labor, H. R. 4908, which is usually referred to as the fact-finding bill, and it provides that when the first section of that bill shall have been read, it will then be in order to move to strike out all after the enacting clause and insert as a substitute H. R. 5262, which is referred to now as the Case bill. When that motion is made, it is in the nature of an amendment to the original bill, and under the procedure the Case bill will be read under the 5-minute rule and amendments may be offered thereto just as long as the House sees fit to do so. And the debate may be extended as long as the House sees fit. After all amendments that anyone desires to offer have been offered and the substitute has been thus perfected, then a vote will come as to whether the substitute will be adopted or not. If as perfected it is adopted as a substitute, the Committee will rise and report the measure back according to the usual practice. But, on the other hand, if the substitute as perfected is voted down, then we would return immediately to the consideration under the 5-minute rule of the fact-finding bill. In any event, the House has the opportunity to work its will on the legislation.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield briefly to the gentleman, as my time is very limited.

Mr. WOLCOTT. The resolution provides that H. R. 4908 shall be considered, and that it shall be in order, after reading the first section, to offer the so-called Case bill as a substitute. But the language of the resolution is as follows:

That after the debate the bill shall be read.

The resolution does not provide that it shall be read under the rules of the House. Neither does it provide that it shall be read for amendment. Is it the gentleman's interpretation that the term "bill shall be read" means that the bill shall be read for amendment, and that amendments to H. R. 4908 will be in order provided the Case bill is voted down?

Mr. CLARK. That is distinctly my understanding.

Mr. Speaker, I reserve the balance of my time.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, this rule makes in order H. R. 4908, and with it also makes in order as a substitute, to be considered as an original bill, H. R. 5262.

This action has been taken by the Rules Committee for one purpose and one purpose only, that is, in order that the House of Representatives, the people in Congress assembled, may be given the opportunity to work their will as to labor legislation in this critical hour.

There has been a feeling among many Members of Congress that all of the various issues surrounding this problem, which so perplexes the people of America today, should be considered by the legislative representatives of the American people without restriction.

Under this rule, this great deliberative and legislative body has the right and the authority to accept the measure which was reported by the Labor Committee of this House, H. R. 4908, which, in my opinion, is somewhat of a weak measure; it has the right and the authority to accept the measure introduced by the gentleman from South Dakota [Mr. CASE], H. R. 5262, or it has the right and the authority, as it may decide, to write any germane amendment of any kind into this measure.

In my opinion, almost any amendment touching the field of labor relations would be germane. In other words, you may strike out, you may add to, you may change according to your will. It seems to me that, after all, is the American way, and especially so at a time like this, to let the representatives of the people in Congress assembled work their will.

This is not a complicated rule. It is not difficult to understand. It simply opens the door for a complete and full consideration of this great problem.

So I am hopeful this rule will be adopted and that when we have concluded our deliberations, that out of all the debate and discussion which will come in the hours and days ahead, will emerge a measure which will be of some benefit in settling one of the most perplexing problems that has ever troubled the American people. It is the only way I know of—through the adoption of this resolution—that we can have full, free, and frank discussion of this problem, and can finally reach a decision as to what should be done about it.

The SPEAKER pro tempore (Mr. BONNER). The time of the gentleman from Ohio has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. ANDREWS].

Mr. ANDREWS of New York. Mr. Speaker, I believe I understand the meaning of this rule. One question in my mind is whether or not an amendment to incorporate a labor union would be germane to either of these bills. I assume it may be to the so-called Case bill, in section 10 thereof.

I am indebted to the distinguished Senator from Virginia [Mr. BYRD] for

some observations in regard to a bill for the incorporation of labor unions, he having proposed a bill somewhat similar to my own in the Senate.

There can be no hope for prosperity and industrial peace for America until the equality of rights of all citizens, corporations, and organizations, is written into law on a basis of justice to all.

Many labor unions are faithful to their contracts and obligations, but some of outstanding importance have violated contractual obligations, for which such unions should be held to the same accountability as would be done in the case of an industrial corporation. Strikes in basic industries which supply vital materials can shut down thousands of others. Unless contracts between labor and industry are observed and have the same legal status as other contracts, we can only look forward to a long period of industrial strife and business chaos.

A manufacturer who makes a contract with a labor union must have confidence in the performance of that agreement in order to plan his operations. Yet the union may breach its contract, and management has no redress in law, although the union is free to resort to all legal processes as well as illegal pressure to enforce the same contract.

With a debt approaching \$300,000,000, we can only service this debt and perform our essential functions of government by means of a high national income. This will be very difficult under the most favorable conditions, and it is possible only by an uninterrupted industrial production.

In the years gone by industrial corporations undoubtedly abused their power. The result was that the Congress created the Securities and Exchange Commission for the purpose of protecting the welfare of the public. This act has served well and has eliminated most of the abuses that theretofore existed in corporate management. Now the shoe is on the other foot. The labor unions have great power—virtually the power of life and death over the economic progress of America. Hand in hand with power goes an equivalent responsibility. For years we have seen repeated instances of broken union contracts of sympathy strikes to encourage and support strikers working for some other corporation, the sympathy strikers having no grievance against their own employer. We have seen, time and again, jurisdictional strikes—strikes arising from disputes between two unions when the employer is in no manner involved, yet must suffer the consequences and losses resulting from shutting down his plant. This lack of union responsibility has reached an intolerable stage.

I am strongly for collective bargaining, but bargaining must mean what it says—namely, that a bargain made is equally binding on both parties to the agreement. I believe in the inherent right of labor to organize. Labor unions have a proper place in the economic life of America. Unions are here to stay, but if we are to have orderly business conditions, labor unions as such must have the same legal responsibility to perform their

contracts as the owners of industry. If one can be sued for violation of a contract, the other should be in the same status. When two parties make a contract, if that contract is to mean anything, there must be a mutuality of responsibility. This does not now exist between labor and industry. Why should a labor union as such be exempt from liability for the damages resulting from broken contracts when all citizens and business corporations can be sued when a contract is violated? We may as well try to build a house without a foundation as to enact legislation to prevent industrial and labor strife, without first providing for mutual responsibility.

As a first step to union responsibility, and this responsibility I believe to be essential before any real progress can be made to end industrial strife, I will offer an amendment to provide for incorporation of organizations engaged in collective bargaining.

Labor unions today have great financial resources. At the direction of Congress, the Joint Committee on Internal Revenue Taxation has released a preliminary report which reveals that incomes of approximately one-half of the labor unions in 1944 totaled \$339,700,000. Included in the annual expenses of these unions were wages, salaries, and commissions of \$50,000,000; compensation of officers, \$38,000,000; other operating expenses, \$88,000,000, with a total expenditure for the year 1944 of \$323,000,000, leaving \$66,000,000 to be added to the already very large financial reserves.

Why should not union members know what salaries their officers receive? Why should not the union members and the general public know how much was expended for political purposes? A business corporation is prohibited by law from making a political contribution. An individual making a political contribution over a certain amount must pay a gift tax and report the same to the Government.

Labor unions in America have grown up. They are now big business in their power and financial assets. They must assume their proper responsibility for their acts affecting the economic welfare of America. This legislation will do no more than place upon unions a legal responsibility commensurate with their power. As I have said, many have large financial resources adequate to pay damages for violation of contracts—I am informed that 12 unions have financial reserves of \$160,762,000. At least the employer, under this plan, will know in advance the financial responsibility of the union with which he deals.

This legislation is democratic and just. I am convinced its enactment will be a substantial deterrent to strikes. It is the first and vital step toward the recognition that labor unions have tremendous power for good or bad in our economic life, and as such should have a responsibility under the law as has been imposed on other powerful groups. In the long-range objective for industrial peace we must put first things first and give to labor unions a legal status and responsibility.

This is the foundation. Until this responsibility to organized government is

established there can be no lasting industrial peace, upon which our future prosperity so vitally depends.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Speaker, if a bottle of nitroglycerin is handled in anger and heedlessness, someone is apt to get hurt. Things which pack great force must be handled calmly, dispassionately, and thoughtfully.

A similar situation prevails as to the measure now before the House. I therefore hope that our deliberations will be conducted with the calmness and thoughtfulness which the importance of the situation demands.

In our consideration of labor legislation, we should not lose sight of one fact. The American system of free enterprise—the American system of big business if you will—has given the people of America, the workingmen of America, the highest standard of living in the world. As President Truman pointed out, the goose that laid these golden eggs and which continues to lay them must not be strangled. The strikes now bedeviling the country—strikes engendered and nurtured by one-sided legislation—are menacing the country's economic health.

I believe it incumbent upon the Congress to remedy one-sided legislation and thus set up conditions whereunder American workingmen, American investors and, more important, the American people, may continue to benefit from the highest standard of living the world has ever seen.

Mr. CLARK. Mr. Speaker, I yield 15 minutes to the gentleman from Illinois [Mr. SABATH] to be used by himself as he sees fit.

Mr. SABATH. Mr. Speaker, I wish to be notified when I have used 5 minutes and I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Not out of my time.

Mr. DIRKSEN. This is quite germane. It is a matter of interpretation of the rule.

Mr. SABATH. Later on I will explain that but I can not yield now, I am sorry to say.

Mr. Speaker, I agree with the gentleman who just preceded me that our country is prosperous. It has never been as prosperous as it is today. Both labor and industry are in much better condition today than in any other country in the world and all of this under present laws. I do not see any reason why we should at this time change the laws that have made this country the greatest, the richest, and the most powerful country in the world, and under which we have achieved the highest industrial production per worker that the world has ever known. Yet this Republican bill, which my nose tells me was cooked up by the National Association of Manufacturers, or perhaps by worse, would put labor in chains with this uncalled for and punitive measure.

For what do these Republican gentlemen propose to punish labor? For winning the war, on the battle front and the industrial front? For establishing an all-time record of production? For making America the arsenal of democracy in fact? During 4 years of global warfare, with all its hardships and heartbreaks on the home front, and while the husbands and sons of the workers were fighting, less than one-half of one percent of all available working time was lost by reason of strikes. Had industry kept its high-sounding no-war-profiteering pledge as well as labor kept its no-strike pledge our national debt today would not be so high. After war ended, and industry immediately started to cut labor's take-home pay, and the cost of living constantly increased, the newspapers lost sight of the fact that even when there were 500,000 men on strike there were still 53,000,000 men on the job.

Mr. Speaker, this rule is such a vicious rule, such a bad rule, so contrary to the orderly procedure of the House, that I could not report it myself, and not even my genial friend the gentleman from Georgia [Mr. COX], nor the gentleman from Virginia [Mr. SMITH], felt like reporting it. It was unloaded upon the gentleman from North Carolina whose amiability would not permit him to refuse to report it.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I only have 5 minutes.

Mr. Speaker, it will be contended later that there are precedents for this infamous action. However, there are no actual precedents. Twice before the Rules Committee permitted itself to be used adversely, once in connection with a similar labor bill. A rule was reported making two other bills in order that had been considered by the Labor Committee. But this Case bill has never been submitted to the Labor Committee, it has been known to nobody with the exception of a few cooperative conspirators who hatched it in secret. No one knew anything about it until the very last minute when the gentleman from South Dakota appeared before the Rules Committee and urged that a rule be granted making the text of his bill in order as a substitute for the fact-finding bill.

The other time the Rules Committee was put in a similar position was when the gentleman from Mississippi [Mr. RANKIN], naturally in the interest of the Republican Party, offered his substitute precluding the American soldier from being able to vote in accordance with the Constitution of the United States.

Those, then, were the two previous exceptions to the rules of the House—on two occasions the Rules Committee forced to the floor bills previously rejected by their proper committees. Even if they were on all fours with the present example, which they certainly are not, two wrongs have never made a right, and they do not make a right at this time. As to orderly procedure, you all know that we cannot write legislation on the floor of the House. That is the reason we have legislative committees. The standing committees have the right and the duty, under the rules and under our

traditions of democratic action, to pass upon proposed legislation. That right has been denied to the Committee on Labor in this instance, and I think it is wrong.

In those earlier instances I opposed the action of the Rules Committee strenuously. I pointed to the dangers of such unprecedented actions. Today I oppose this rule just as strenuously. If the House accepts this rule, we may as well abolish the legislative committees outright. It destroys and nullifies the whole committee system. It is a wholly improper rule, just as the Case bill is a wholly improper bill, presented by a woolly lamb from the plains of South Dakota, deceived and led on by the wolves of Wall Street. To change the figure, this bill is the illegitimate offspring of secret and illegal wedlock.

The same unholy alliance of arch-enemies of labor responsible for those earlier violations of the precedents of the House are behind this present effort to discard all the lessons we have learned here in 160 years of democratic government. But this time they have gone further. In these two earlier instances the bills in question at least had been before legislative committees, and had been flatly rejected.

But now, Mr. Speaker, this tory and reactionary coalition proposes to revolutionize the rules of procedure of the House of Representatives. The Rules Committee reported a rule making in order as a substitute for the properly considered and reported Randolph fact-finding bill the text of the provisions of a bill never even made known to the Committee on Labor, which had proper jurisdiction, after that committee had reported the fact-finding bill requested by the President, and the chairman of the Committee on Labor already had appeared before the Rules Committee in behalf of the committee bill. Let me repeat that: This Case bill we are called upon to vote on was never brought before the Committee on Labor, and neither members of the Committee on Labor nor of the Rules Committee had seen the bill before the gentleman from South Dakota appeared before our committee with a typescript in his hand.

Who wants this legislation, this ex post facto punishment?

It is sought and urged in secret by those corporations—United States Steel, General Motors, General Electric, Westinghouse, the meat-packing companies—controlled absolutely by Wall Street; whose officers' salaries have been increased, not by 18½ percent, but up to 50 percent and 100 percent; whose officers are receiving, in addition to their salaries, bonuses and dividends amounting, in some cases, to from \$50,000 to \$500,000 annually; and who are deadlocked with their own employees at the command of sinister financial influences whose aim is to break labor, to force higher prices, to eliminate OPA.

No one else has sought this legislation. Ninety percent of American industry is opposed to any legislation at this time. The American Federation of Labor, the Congress of Industrial Organizations, the Railroad Brotherhoods, and in fact every labor organization, has

most strenuously opposed any ill-considered and hasty antilabor legislation.

Those corporations I have mentioned above have made huge profits in the last 5 years. In unknowing generosity this Congress has agreed to finance their lock-outs. They have accumulated huge reserves and surpluses. They have fattened, financially and in physical plant assets, on the world's agony.

I regret that some Members on our side have seen fit to let themselves be used by the Republican machine, which functions as a front for corporate power and special privilege, exemplified by the dynasties of the Pews, the du Ponts, the Morgans. In that connection, it is pertinent to recall that in the other Chamber the special committees on campaign expenditures have found repeatedly that money from the Pews and du Ponts helped finance the Republican campaigns in South Dakota.

I am aware of the whip and the club used on the Republican side to muster a show of strength. I fully realize that under this coalition of Republicans and reactionary Democrats the rule will be adopted. Nevertheless, I feel it my duty in the interest of fair play to urge the defeat of the rule, so that sane and fair legislation can be enacted when the hysteria created by full-page advertisements in the Nation's leading newspapers, at a cost of thousands and thousands and thousands of dollars, has subsided.

Even at this late hour, Mr. Speaker, I have hope that there are enough sincere and progressive Republicans, who have the interest of our country and the early adjustment of labor disputes at heart, to join with progressive Democrats on this side and defeat this outrageous effort to enslave American labor and destroy the orderly procedures of this House.

The gentleman from South Dakota [Mr. CASE] and, no doubt, the gentleman from Virginia [Mr. SMITH] and others like them who for years have endeavored not only to restrain but to destroy organized labor, will contend that this is a fair bill. They may even contend that its administration will inure to the benefit of labor. I am sure, however, they will not call attention to the fact that it will repeal the National Labor Relations Act, repeal the Wagner-LaGuardia Act, and bring back that government by injunction wisely eliminated years ago. They will not say, Mr. Speaker, that passage of this outrageous bill would, instead of giving the President the fact-finding legislation he asked for, stab the President—the President, yes, and the whole country—in the back with a knife forged by enemies of the people.

Mr. Speaker, a few minutes before taking the floor I received a telegram from the Warehouse and Distribution Workers Union of Cleveland, Ohio, which I insert at this point as part of my remarks. It reads as follows:

CLEVELAND, OHIO, January 31, 1946.
Congressman A. J. SABATH,
Chairman, Rules Committee, House of Representatives, Washington, D. C.:
Demand no Jap sneak attack on American people by Congress. New labor bill proposed by Congressman FRANCIS CASE must be stopped. This bill is out-and-out Hitlerism.
WAREHOUSE AND DISTRIBUTION WORKERS UNION.

I wish time would permit me to read some of the hundreds of similar letters and telegrams I have received from every section of the United States, and not only from labor unions but from sincere men and women who have the interest and welfare of our Nation at heart.

I should like also to quote from a statement just handed me which describes more fully than I am able to do the effect of the provisions of the Case bill. Since my limited time precludes my reading excerpts from this statement, Mr. Speaker, I reserve the balance of my time, and for the information of the House and of the country I insert the statement, which is a summary of the bill H. R. 5262 as a part of my remarks.

The SPEAKER pro tempore. The gentleman from Illinois has consumed 5 minutes.

(Following is the text of the statement referred to:)

SUMMARY OF H. R. 5262 (CASE BILL)

H. R. 5262 is a vindictive attack on the rights of labor and on the democratic rights of all the people.

It provides:

1. That for a period which may be as high as 35 days, a strike by a labor organization is illegal.
 2. Any form of assistance to a strike is illegal.
 3. At any time, not merely during the 35-day cooling-off period, picketing by so-called force and violence is made illegal.
 4. Boycotts now recognized as legal in the States are condemned as illegal.
 5. The hated labor injunction, ousted from the law after years of bitter struggle, is restored to full force and effect and the Norris-LaGuardia Act is repealed.
 6. Employees who are engaged in the types of picketing condemned by the bill lose their rights under the Wagner Act and employees engaged in intimidation or violence in connection with a labor dispute or in connection with organizational activities are denied reinstatement and back pay under the Wagner Act.
 7. Large groups not only of supervisory employees but of clerical employees are denied the protection of the Wagner Act.
 8. The Federal courts are open not only for the purpose of injunction but for the purpose of assessing damages against labor organizations which violate contracts.
- The grave evils which the bill presents are as follows:

1. It is a vicious and thoroughly undemocratic interference with the exercise of the right to strike.
2. Its prohibitions upon assistance to strikes during the cooling-off period will condemn free speech, free picketing, community action in sympathy with strikes and many forms of democratic and constitutionally protected activities.
3. The irresponsible attacks upon picketing under the pretext of preventing force is merely a device to invite the courts to destroy picketing as a form of protected concerted activity in American industrial relations. All lawyers familiar with the field know that a court can find that all forms of picketing constitute force. Indeed, the widespread injunction abuses resulted from judicial expansion of the concept of force.
4. The bill revives the hated labor injunction ousted from the law by the Norris-LaGuardia Act after years of bitter struggle and makes of the Federal courts a star-chamber for the repression of the liberties of American workers.
5. The bill is sharply one-sided and is exclusively directed as a punitive expedition against labor and leaves untouched notorious employer misconduct in present-day labor

relations. The bill, for example, although it purports to deal with violence in labor disputes, says nothing about the use of tear gas by employers to break strikes, about the resort to terror by employers, about the notorious Mohawk Valley Formula.

Although it purports to deal with the improper use of economic sanctions by labor organizations, it is strangely silent concerning the conspiracy of American industry to defy the Government of the United States and its laws. Similarly, the bill exposes labor organizations to novel sanction of suits in the Federal courts for breach of contract, but says nothing about the widespread flouting of War Labor Board directives by employers which today has resulted in the denial to workers of back-pay awards of over \$20,000,000.

6. The bill, in stripping not only supervisory employees but large groups of clerical employees of the protections of the Wagner Act, will encourage discrimination against employees who are entitled to the protection of the Wagner Act and will encourage these employees to strike in order to obtain those rights which this bill denies them.

7. The bill removes from the cognizance of local courts problems of violence and boycotts which are now adequately regulated by local law and substitutes for them a centralized Federal Gestapo. The bill also punishes employees for name-calling and minor scuffling on the picket line by denying them protections of the Wagner Act. The Wagner Act now, as interpreted by the National Labor Relations Board, contains adequate limitations on the rights of those strikers who engage in true violence.

8. The bill transforms the Wagner Act from one which protects the rights of employees into a weapon in the hands of employers to destroy labor organizations.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Speaker, I am opposed to this rule as a matter of legislative principle. I would oppose it if it applied to any legislation reported to Congress by the arbitrary action of the Rules Committee. It is an absolute departure from all orderly rules of parliamentary procedure of the House and it is without precedent.

If this undemocratic practice is carried to its logical conclusion the Rules Committee could usurp the prerogatives of every legislative committee of this House.

The Rules Committee reported a rule yesterday making possible the consideration of the so-called Case bill, H. R. 5262, in lieu of H. R. 4908, before the Case bill had even been printed, let alone being referred to the appropriate legislative committee. From a parliamentary point of view H. R. 5262 was absolutely nonexistent when the Rules Committee acted.

Mr. Speaker, this unprecedented procedure may serve the particular purpose intended but mark you, and mark you well, it will come back to haunt those responsible for breaking down the orderly and long-established procedure of the House of Representatives.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, the purpose of the so-called Case bill, H. R. 5262, is to give the country a chance to get rid of what I would call Pearl Harbor strikes and Pearl Har-

bor tactics in industrial warfare when the dispute substantially affects the public interest. The primary feature of the bill is that which establishes a labor-management mediation board and provides that if there be proposed either a strike or a lock-out, the party proposing to call the strike or to order the lock-out shall give 5 days' notice to a labor-management mediation board, during which 5 days this board may determine whether or not there is sufficient public interest in the issues at stake to warrant their declaring that it is a dispute affecting the public interest, and then offer their services as a mediation board for 30 days.

For, if they determine that there is sufficient public interest, then there will be a 30-day cooling-off period during which, first, the board will seek to pursue the collective bargaining that has been carried on and, if it is not possible to continue the negotiations that have been conducted, then to seek to mediate, to talk with the parties separately and find common ground and bring them together; then, if that fails, to suggest to them that they arbitrate, but the board has no power to compel them to arbitrate. The bill is an attempt to preserve industrial peace in the country, it is an attempt to recognize a situation where the public interest is greatly at stake and where the employees, the employers, and the consuming public all stand a chance to suffer, and to postpone breaking off relations for 30 days. The only power the board has during that period is that it can apply to a court to grant, if necessary, a restraining order to preserve the status quo, so that one side or the other does not get an advantage during the 30-day cooling-off period.

The primary purpose of the bill is industrial peace. The various provisions in the bill are all treated separately by sections. If this rule is adopted, each one of them can be considered and amendments be offered at that time.

Some of the gentlemen who have spoken have asked, "Why should we do anything at this time?" The gentleman from Illinois spoke about the production of the country during the war. That is true; the country did make a remarkable record in production during the war. We had some extraordinary facilities then for controlling the situation. We went further during the war with the War Labor Board than it is proposed to do in this bill and further than we ought to go in peacetime.

Who wants this legislation? Yesterday the Gallup poll reported on a poll of the people of the country on what was the No. 1 legislative problem this year. And the answer was that legislation dealing with labor and strikes is No. 1 in public importance. Gallup reported that twice as many people gave that as the primary job of Congress this year as mentioned any other question whatsoever.

Every Member of the Congress, both of the House and the Senate, during the past few weeks, has had to answer the question, "Why does not Congress do something about strikes?" If we were

left with a rule which merely reported the mild bill, the kind of gesture offered by the Committee on Labor, as I say, if we were limited to the consideration of that, we would not be in a position to meet many of the basic questions involved. This rule, if adopted, opens up the question so that we can have an opportunity, during the consideration of the substitute and amendments thereto, to work our will.

Every Member of this House has had to answer that question, "Why does not Congress do something about it?" What have you said? Well, you have said, "Such and such a bill has been introduced. The House has passed it, and then it was stopped in the Senate." Or, "This was introduced, and the Committee on Labor did not do anything about it."

The SPEAKER pro tempore. The time of the gentleman from South Dakota has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 1 minute to the gentleman.

Mr. CASE of South Dakota. In our hands, Members of the House, rests the destiny of America. It is our responsibility to do something about this labor situation, to try to work out something. This rule gives us an opportunity. Let us not run away from it. Let us vote for the rule and then work out the best legislation we can.

The SPEAKER pro tempore. The time of the gentleman from South Dakota has expired.

Mr. SABATH. Mr. Speaker, I yield 3 minutes of my time to the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Speaker, I want to pay my respects to one of the most outstanding Members of this House. His knowledge of labor-management relations has been accumulated over years of study. He is a man who knows and is tolerant of the problems of labor as well as management. I know he is on the other side of the aisle in the Republican Party, but his fairness and justice is such that I am ready and willing to follow, the Honorable RICHARD WELCH, of California, former chairman of the Labor Committee on Labor-Management Affairs. Every word that he said in the well of this House a moment ago was true, sincere, and honest. I say, with him, that I believe the action of the Rules Committee in circumventing legislative committees of this House should not be condoned here today or any other time. We should not put more emphasis on a precedent which should never have been established. The legislative committees of this House are supposed to study the facts and bring in legislation which, in their judgment, after full deliberation, meets the issue. You cannot legislate in a vacuum. We have never had an opportunity to have an investigation and complete study into the facts as to what made collective bargaining break down. Why did collective bargaining fail? I want to know; you want to know; the American people want to know. Both labor and management represented by the top men of those organizations said before the Committee on Labor that they thought the only way to approach this problem was

through fair and honest collective bargaining. The head of the Chamber of Commerce Mr. Johnston; the president of the National Association of Manufacturers, Mr. Mosher; and the heads of the three great labor organizations, Mr. Green, Mr. Lewis, and Mr. Murray, all agreed to that. I introduced a resolution in the Committee on Labor requesting that we establish an investigating committee to investigate the facts as to why collective bargaining has broken down. That resolution was defeated by a tie vote. I am told that if that resolution were presented today, it would pass by an overwhelming vote. Let us give the people the reasons why the great corporations—the United States Steel and General Motors—defied the Government and the President of the United States. The only way that can be determined is through an exhaustive study, with proper appropriations. I cannot, in the short period of time I have, give this House the information I have on the subject.

Of course, the South Dakota legislator, from that great State of the Black Hills and arid waste marginal land, now a self-appointed labor-management expert, now offers a bill which will bring blight on the Nation as the dry rot brings blight to the wheat crop of his State.

Do not legislate in a vacuum. It cannot be done. It will not work. Vote down this rule.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I would like to address an inquiry to some member of the Rules Committee. It appears to me that the Case bill, when substituted, would serve as an original bill. Therefore, another substitute would be in order for the Case bill at any time when we finally read under the 5-minute rule. Is that a correct interpretation of this rule? Obviously, it must be germane.

Mr. CLARK. The Case bill will be in the nature of an amendment to the original bill, and I think a substitute would be in order, and probably an amendment to the substitute.

Mr. DIRKSEN. An amendment or substitute to the Case bill would be in order, under the rule?

Mr. CLARK. I think that is correct. And an amendment to the substitute would be in order.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, in dealing with this rule, I submit we must consider facts. This rule makes in order the so-called Case bill. Without this rule the Case bill would be out of order. Let us see what the Case bill does. It definitely repeals the Norris-La-Guardia Anti-Injunction Act. It definitely vitiates the National Labor Relations Act. It most definitely substitutes government by injunction in labor relations.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I decline to yield. I have only 3 minutes. The gentleman should know what is in his bill if he wrote it.

Incidentally, let me say to the gentleman that his bill reinstates the yellow-dog contract. That is what this bill does to labor. It is the most vicious antilabor bill we have ever had before this House or that has ever been introduced in this Congress. That is just what we are being asked to consider by this most extraordinary, unprecedented rule.

This bill, in my considered judgment, is the product of a joint effort on the part of certain Republican reactionaries allied with certain poll tax gentleman on the Rules Committee. This bill constitutes incitement of industrial strife. This bill will assist corporations bloated with profits and arrogance to become more arrogant and it will encourage them to continue to refuse to give their workers a decent wage. Why? Because you protect their scabs by this bill, you destroy all of labor's rights attained after years of suffering and sacrifice. You gentlemen on the Republican side, remember you are reinstating the yellow-dog contract, which your own Republican administration at one time helped abolish. You are going back to the old days of Government by injunction. You are stripping labor of every one of its rights, and you are doing it by a most unholy and undemocratic alliance. You might as well face the facts when you vote for this rule.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. SABATH. Mr. Speaker, I yield the remainder of my time, 4 minutes, to the gentleman from Wisconsin [Mr. BIEMILLER].

Mr. BIEMILLER. Mr. Speaker, the gentleman from California [Mr. WELCH] and other speakers who have preceded me have quite correctly maintained that the Rules Committee is today asking you to break down the orderly procedure of the House of Representatives. They are asking you to vote for a rule that could boomerang against any committee in this House. They are asking you to make in order on this floor a bill which had not even been printed when the Rules Committee first acted upon it. They are asking you today to debate a bill which was introduced only 48 hours ago.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. BIEMILLER. I do not yield—my time is too limited.

Mr. Speaker, in voting on the proposal to make H. R. 5262 in order we had also best consider some other features of the bill in addition to those that have been pointed out. We are being asked to restore government by injunction in the field of labor relations, injunctions that in the past have been used so extensively as even to forbid the holding of church services in coal-mining areas because they were remotely tied up with labor disputes. You are asked furthermore, those of you who come from coal-mining areas, to do away with one of the great

gains the coal miners have made in this country dealing with the maintenance of their organization. You are being asked to throw the check weighmen out of the union. The bill would specifically do that. You and I know that the early coal miners' unions were organized around this issue. It was the only way the coal miners could be certain they would get the full wages to which they were entitled.

Some of you on the other side of the House, some of you who are inclined to be for this measure inspired by the Republican National Committee and the Republican leadership of the House, are in the habit from time to time of coming on the floor and praising the American Federation of Labor. I believe you are probably sincere in that. May I point out to you that this bill would knock out of the building trade-unions every foreman. Foremen have belonged to those unions from time immemorial.

By curtailing labor's right to strike and management's right to strike, this bill takes a long stride toward compulsory arbitration. Every management spokesman I know of opposes such a move.

I cite this comparatively small number of illustrations to show you that the bill contains provisions which I am sure no one wants to support, provisions that if we had an opportunity to work out this problem carefully I believe none of us would want. That is why I hope the rule will be voted down, and that this whole problem of industrial relations can be considered carefully, as it should be; can be considered cautiously as we have been advised by Eric Johnston, president of the United States Chamber of Commerce, that it should be. We should revise labor legislation very, very carefully. If we pass hasty, ill-conceived, punitive legislation we may well find that instead of solving the strike problem we will intensify it. Remember what happened after Congress passed the Smith-Connally Act? Even the gentleman from Virginia [Mr. SMITH] wishes to repeal that law now.

There is not a Member of this House who believes that passage of a bill today will have any immediate effect upon easing the present strike situation. There are some of us, and I am one of them, who believe that the passage of this kind of punitive legislation, this legislation that is designed to destroy the advances which labor has made during the past half century in this country, would only antagonize the workers. As has been previously suggested, if we pass repressive legislation many, many corporation leaders in this country will again feel that they are above the law, that they can go back to their practice of the early twentieth century when they rode roughshod over all labor groups, when goons were the order of the day. H. R. 5262 would encourage the resumption of the kind of labor relations we knew in this country previous to the passage of the Wagner Labor Relations Act.

This is a bill that I believe, Mr. Speaker, was definitely sired by malice and foaled by deceit. Those who hate labor want

it passed, those who have little respect for the orderly procedure of Congress do not care how they get it on the floor.

I trust those Members who want to see us proceed in accordance with established rules and precedents will vote against the pending resolution from the Rules Committee.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. ALLEN of Illinois. Mr. Speaker, may I inquire how the time stands?

The SPEAKER pro tempore. The gentleman from Illinois has 8 minutes remaining, the gentleman from North Carolina 9, and the gentleman from Illinois [Mr. SABATH] has consumed his entire 15 minutes.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, this is a serious matter that we approach, and I would hope that every one of us could approach it with a recognition of its seriousness. Things have been said and words have been printed that legislative action should not be had in anger or in malice. I subscribe to that. I would also like to suggest to some of my estimable friends—who are sincere; I do not question that—that probably not very much is contributed to a sound solution of our problems by name calling, resort to epithets, or depart in great measure from the facts of the situation.

Let us see why this is before us. Was it not on last December 3 that President Truman asked for labor legislation? I recall that speech in which he asked the Congress to do something. He outlined the problem, and, as I remember it, he said something to the effect that if you do not like my program, why, get up one of your own. Did he not say that the American people have been patient? Did he not recall that the labor-management conference had ended with no recommendation? Did he not say that he recommended that the Congress take action?

Mr. Speaker, I intend to support this rule, which, first of all, brings before the House the bill introduced on December 5, I take it, prepared in the executive department in compliance with the request of the President. That bill went to the Labor Committee for consideration. Some hearings were held. I understand one witness appeared, even qualifiedly as to him, in support of the bill. That was the Secretary of Labor. However, the Labor Committee had all of the various matters we have been talking about before it in the consideration of that measure and any other matters that might be deemed appropriate.

The Labor Committee reported the bill, bear in mind, asked for in the first instance by the President of the United States. That bill was assailed by the same persons who assail it here today, and assail any action designed to bring about consideration by the House of this over-all matter. The committee recommended that certain parts of that bill be stricken out.

Subsequently a Member of the House who happens to be a Republican in-

troduced a bill, which carries the number 5262. He asked the Rules Committee to make that bill in order as a substitute for the committee bill.

You gentlemen who oppose any rule here must recognize that if you defeat this rule you prevent the House from considering and determining, if it sees fit, whether or not the recommendation of the President of the United States in this matter should be brought up for consideration. You likewise deny to the House the right to consider any of the problems arising in connection with this matter.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. HALLECK. Mr. Speaker, reference has been made to the Case bill and I take it that this is not particularly the time to discuss the merits of that proposal because if this rule is adopted and the Case bill is read as a substitute, then the membership can strike it all out, it can strike out any part of it, it can refuse to substitute it for the committee bill and proceed to perfection of the committee bill.

I listened with great interest to some of the gentlemen who have spoken ahead of me in such violent opposition to anything and everything. I always enjoy hearing their tunes, but it is always the same tune. It would not make much difference what you put in a bill, you would hear the same arguments, that it stripped labor of all its rights, and other similar extreme and sweeping statements. Of course, that is not true; it could not be true generally.

A lot of us believe that the processes of mediation and conciliation should be strengthened. Why not proceed with the consideration of that and work out something in the course of the next number of days, or whatever time it takes, to strengthen those processes?

Yes; the gentlemen say that the declaration of purposes is fine; we agree with it entirely. But when anyone begins to implement it they are afraid to even try to do anything about it. They say, "Why, of course, collective bargaining means nothing if contracts are not binding on both parties." Yet apparently they are afraid to try to do anything about mutuality of obligation of contract.

Then they say, "Why, we are for law and order; we are not for violence or force on either side; on the part of the employers with goons, or on the side of the employees on strike." They agree with all of us on that, and no one disagrees. Yes; they agree with the American Civil Liberties Union that sent out a statement the other day. I am sure my good friend from New York, who likes to talk about the NAM, would hardly class the American Civil Liberties Union as an enemy of labor. Here is what they say:

But no claims of the rights to picket justify the use of force to prevent access to plants on strike by those who are willing to cross picket lines. Reports of current strikes

show instances in which pickets have prevented access to plants by executive officers, by maintenance crews keeping up such services as heat and lighting, and by clerical workers not members of the striking union.

These are plain abuses of the right of picketing. In the view of the American Civil Liberties Union, the right of access, not only of these persons, but of any and all others, is undebatable. The two rights of picketing and of access to places picketed are not conflicting.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. CLARK. Mr. Speaker, I yield the remainder of the time on this side to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, there has been so much heat displayed in this debate that I hope I may not be out of place in attempting to shed a little light.

Those who constantly vote the CIO ticket still cling to the threadbare technique of crying "Wolf, wolf" whenever any type of labor legislation, however mild, is proposed. They have found in the past that by yelling bloody murder as loudly as possible and threatening those who disagree with dire political reprisals they have been successful in frightening certain timid souls.

I know, however, from my conversations in recent weeks with Members, both Democrat and Republican, that there is on the part of many of them an earnest and sincere desire to enact legislation that will be fair to both labor and industry, protect the paramount rights of the great masses of the general public, and still do no violence to the legitimate objectives of collective bargaining. I, therefore, appeal to the membership to read and study the provisions of this bill and not be swayed by the wild cries of anguish emanating from the left wing.

Members of Congress, newspapers, and radio commentators have spoken of this bill as drastic. I make the flat assertion that there is not a drastic provision in the bill, and I call to witness the language of the bill itself.

The theory upon which this legislation is based is that Congress in the past has enacted legislation—to wit, the Norris-LaGuardia Anti-Injunction Act and the National Labor Relations Act—in which have been given to organized labor exemptions and privileges not accorded to any other class of citizen. These immunities were given by the Congress in good faith for the purpose of protecting and encouraging the legitimate objectives of collective bargaining.

Congress never intended to protect organized labor in the pursuit of objectives which were not the proper aims of collective bargaining and which were against the rights of individual workers, inimical to the general welfare, and in violation of all decent standards of human activities.

This bill provides no penalties, either civil or criminal, but merely undertakes to draw a dividing line between the pursuit of legitimate objectives of collective bargaining and the exercise of union activities that were never intended to be protected by law and are contrary to the

paramount interests of the general public. All the bill does—and I invite your careful inspection of its language—is to withdraw from the protection of the Norris-LaGuardia Act and the protection of the National Labor Relations Act certain specific labor-union activities which neither Congress nor the general public ever intended to protect, shield, or countenance.

It merely provides that if labor unions persist in pursuing policies that are either criminal or against the public interest as declared in the bill, the union shall not be permitted to hide behind the shield of the Anti-Injunction Act and the National Labor Relations Act, which were never designed or intended for that purpose.

Then what are the specific things that we here declare to be against the public policy? And I ask if any fair-minded person can find fault with an inhibition against that type of practice. What are they?

The bill, beginning on page 11, under Miscellaneous Provisions, declares that four types of union activities are "detrimental to the interest of the general public" and "destructive of collective bargaining." Those four things are: Breach of contract, violence, unionization of foremen, boycotts, or related practices.

The bill declares, that:

First. Contracts made pursuant to collective bargaining shall be equally binding and enforceable, either in law or equity, on both parties to the contract, and either party breaching the contract is subjected to a suit for injunction or damages for breach of the contract.

Second. If either party to the contract seeks by the use of force, violence, or threats thereof, to prevent any person from quitting or continuing his employment, or accepting employment, or entering or leaving a place of employment, the guilty party may be enjoined from such illegal conduct and shall cease to have the protection afforded to an employee under the protective provisions of the National Labor Relations Act.

Third. That supervisory employees, being a part of the management of the business, cannot serve both the employer and the union and must make the choice of whether they shall be a part of management or a part of the union. They may not sit on both sides of the bargaining table as members or officers of the union and, at the same time, as representatives of management.

Fourth. That those who deliberately engage in so-called boycotts and jurisdictional disputes shall no longer enjoy the protection of the Anti-Injunction Act or the National Labor Relations Act.

Now, the gentleman from New York made the bold assertion that this bill absolutely repeals the Norris-LaGuardia Act. Gentlemen, I have told you just what it does.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I do not yield. I have told you just what it does. The statement rests between the gentleman from New York and myself. I ask you to read the bill and see which one of us is right about it.

It seems to me that those who are complaining so loudly and so bitterly about the provisions of this act would be more convincing if they would confine themselves to a logical argument as to why any individual, organization, corporation, or association should be protected by special law from any one of the four activities above mentioned. There just is no logical, just, and defensible reason why the law should give persons engaged in this type of activity special protection above and beyond that afforded to any other citizen of this country.

As to the mediation provisions of the bill, they are in effect substantially the same as those recommended by the bill report by the Labor Committee, with the exception that this bill carries the President's recommendation for a cooling-off period before a strike can be called and, likewise, withdraws from any person or union violating its provisions the special privileges accorded to labor unions in the Anti-Injunction Act and the National Labor Relations Act.

That is all that the bill does and no amount of lurid and extravagant language can read anything else into it.

Now, as to this rule—I just wish the time would come when the Committee on Rules could please all of the Members of the House even some of the time. We never hope to please all of them all of the time. But remember, we have a very difficult situation. We have a difficult situation of trying to find out what the majority of the House does want to consider. In this instance, we concluded that the majority of the House at the call of the people of the United States want the House to consider labor legislation and that they do not want to be hampered by parliamentary rules which would prevent them from giving it full consideration. So we decided to do the thing that was democratic. The democratic thing was to say to the House, "Here is the legislation with a wide open rule. Do what you think is best about it." We are going to open the door so that either side can offer any amendment to add to the legislation or strike from the legislation so that in the end this House would be permitted to do the thing that it wants to do by a majority of its votes. Can you ask for anything fairer than that?

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. CLARK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

Mr. MARCANTONIO. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 258, nays 114, not voting, 56, as follows:

[Roll No. 16]
YEAS—258

Abernethy
Adams
Allen, Ill.
Allen, La.
Andersen,
H. Carl

Anderson, Calif.
Arnold
Andersen,
August H.
Andrews, Ala.
Barden
Andrews, N. Y.
Barrett, Wyo.
Arends
Beall

Bell
Bennet, N. Y.
Bennett, Mo.
Blackney
Bland
Bonner
Boren
Bradley, Mich.
Brehm
Brooks
Brown, Ga.
Brown, Ohio
Brumbaugh
Bryson
Buck
Buffett
Burch
Burgin
Butler
Byrnes, Wis.
Camp
Campbell
Case, N. J.
Case, S. Dak.
Chelf
Chenoweth
Chipfield
Church
Clark
Clason
Clevenger
Clippinger
Cole, Mo.
Cole, N. Y.
Colmer
Combs
Cooper
Courtney
Cox
Cravens
Crawford
Cunningham
Curtis
D'Alesandro
Daughton, Va.
Davis
D'Ewart
Dirksen
Dolliver
Domeneaux
Doughton, N. C.
Drewry
Durham
Dworshak
Earthman
Eaton
Elliott
Ellis
Ellsworth
Etsaesser
Elston
Engle, Calif.
Fallon
Fellows
Fenton
Folger
Fuller
Gamble
Gary
Gathings
Gavin
Gerlach
Gibson
Gifford
Gillespie
Gillette
Gillie
Goodwin
Gore
Gossett
Graham
Grant, Ala.
Grant, Ind.

Gregory
Griffiths
Gross
Gwinn, N. Y.
Gwynne, Iowa.
Hagen
Hale
Hall
Edwin Arthur
Hall
Leonard W.
Halleck
Hand
Hare
Harless, Ariz.
Harris
Hays
Hébert
Henry
Heseltin
Hess
Hilli
Hinshaw
Hobbs
Hoeven
Hoffman
Holmes, Mass.
Holmes, Wash.
Hope
Horan
Howell
Jarman
Jenkins
Jennings
Jensen
Johnson, Calif.
Johnson,
Luther A.
Johnson,
Lyndon B.
Johnson, Okla.
Jonkman
Judd
Kean
Kearney
Keefe
Kerr
Kilburn
Kilday
Klinzer
Knutson
Landis
Lanham
Latham
Lea
LeCompte
Luce
Lyle
McConnell
McCowan
McDonough
McGehee
McGregor
McMillan, S. C.
Mahon
Maloney
Manasco
Mansfield, Tex.
Martin, Iowa
Martin, Mass.
Mason
May
Merrow
Michener
Miller, Nebr.
Mills
Monroney
Murdock
Murray, Tenn.
Murray, Wis.
Norblad
Norrell
O'Hara

O'Neal
Pace
Patman
Peterson, Fla.
Peterson, Ga.
Phillips
Pickett
Ploesser
Price, Fla.
Priest
Rains
Randolph
Rankin
Reece, Tenn.
Reed, Ill.
Rees, Kans.
Rich
Richards
Riley
Robertson,
N. Dak.
Robertson, Va.
Robison, Ky.
Rockwell
Rodgers, Pa.
Roe, Md.
Rogers, Fla.
Rogers, Mass.
Russell
Sasser
Schwabe, Mo.
Schwabe, Okla.
Shafer
Sharp
Short
Sikes
Simpson, Ill.
Simpson, Pa.
Slaughter
Smith, Maine
Smith, Ohio
Smith, Va.
Smith, Wis.
Sparkman
Springer
Stefan
Stevenson
Stewart
Stockman
Sumner, Ill.
Sumners, Tex.
Taber
Talbot
Talle
Tarrar
Taylor
Thomas, N. J.
Thomason
Tibbott
Towe
Trimble
Vinson
Vorys, Ohio
Vursell
Wadsworth
Wasielewski
Weaver
Weichel
West
Whitten
Whittington
Wigglesworth
Wilson
Winstead
Winter
Wolfcott
Wolfenden, Pa.
Wood
Woodruff
Worley
Zimmerman

NAYS—114

Angell
Bailey
Baldwin, N. Y.
Barrett, Pa.
Bates, Ky.
Bender
Biemiller
Bishop
Bolton
Bradley, Pa.
Buckley
Bunker
Byrne, N. Y.
Cannon, Mo.
Carnahan
Celler
Cochran
Coffee
Corbett

De Lacy
Deaney,
James J.
Deaney,
John J.
Douglas, Calif.
Douglas, Ill.
Doyle
Eberhart
Feighan
Fernandez
Flannagan
Flood
Forand
Gallagher
Gardner
Geelan
Gordon
Gorski

Granahan
Granger
Green
Hart
Havener
Hedrick
Heffernan
Hoch
Hook
Huber
Hull
Jackson
Johnson, Ind.
Kee
Kefauver
Kelley, Pa.
Kelly, Ill.
Keogh
King

Kirwan	Neely	Ryder
Kopplemann	O'Brien, Ill.	Sabath
Kunkel	O'Brien, Mich.	Sadowski
LaFollette	O'Konski	Savage
Lane	O'Toole	Snyder
Larcade	Outland	Somers, N. Y.
Lemke	Patterson	Spence
Lesinski	Philbin	Starkey
Lewis	Pittenger	Sullivan
Link	Powell	Thom
Ludlow	Price, Ill.	Thomas, Tex.
Lynch	Quinn, N. Y.	Tolan
McCormack	Rabaut	Torrens
McGlinchey	Rabin	Traynor
Madden	Ramey	Voorhis, Calif.
Mansfield,	Rayfield	Walter
Mont.	Resa	Welch
Marcanonio	Rogers, N. Y.	White
Miller, Calif.	Rooney	Wolverton, N. J.
Murphy	Rowan	Woodhouse

NOT VOTING—56

Barry	Fisher	Morrison
Bates, Mass.	Fogarty	Mundt
Beckworth	Fulton	Norton
Bloom	Gearhart	Patrick
Boykin	Hancock	Pfeifer
Bulwinkle	Harness, Ind.	Plumley
Canfield	Hartley	Poage
Cannon, Fla.	Healy	Reed, N. Y.
Carlson	Hendricks	Rivers
Chapman	Herter	Rizley
Clements	Hollfield	Robinson, Utah
Cole, Kans.	Izac	Roe, N. Y.
Cooley	Johnson, Ill.	Scrivner
Crosser	Jones	Sheppard
Curley	LeFevre	Sheridan
Dawson	McKenzie	Stigler
Dingell	McMillen, Ill.	Sundstrom
Dondero	Mathews	Wickersham
Engel, Mich.	Morgan	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hartley for, with Mr. Barry against.
Mr. Herter for, with Mr. Healy against.
Mr. Plumley for, with Mr. Pfeifer against.
Mr. Poage for, with Mr. Sheridan against.
Mr. LeFevre for, with Mr. Dawson against.

General pairs until further notice:

Mr. Morrison with Mr. Jones.
Mr. Cooley with Mr. Harness of Indiana.
Mr. Roe of New York with Mr. Johnson of Illinois.
Mr. Bloom with Mr. Fulton.
Mrs. Norton with Mr. Hancock.
Mr. Izac with Mr. Dondero.
Mr. Dingell with Mr. Clason.
Mr. Wickersham with Mr. Reed of New York.
Mr. Clements with Mr. Scrivner.
Mr. Hollfield with Mr. Rizley.
Mr. Beckworth with Mr. Mundt.
Mr. Robinson of Utah with Mr. Canfield.
Mr. Chapman with Mr. McMillen of Illinois.
Mr. Rivers with Mr. Engel of Michigan.
Mr. Hendricks with Mr. Gearhart.
Mr. Bulwinkle with Mr. Cole of Kansas.
Mr. Crosser with Mr. Sundstrom.

Mrs. Bolton changed her vote from "yea" to "nay."

Mr. Beall changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

ADJOURNMENT FROM FRIDAY UNTIL MONDAY

Mr. McCORMACK. Mr. Speaker, under the rule 2 days of general debate are allowed on this bill. It is pretty generally recognized that the bill will not be disposed of under the 5-minute rule in 1 day. The leadership have agreed that we will start the reading of the bill on Monday. In order to ascertain whether or not that understanding can be carried out, I ask unanimous consent that when the House adjourns on tomorrow, Friday, it adjourn to meet on the following Monday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include a resolution.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

Mr. RANDOLPH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 4908, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. RANDOLPH. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, in November 1932 I was elected by the voting citizens of the Second Congressional District of West Virginia to the Congress of the United States. It was only 2 or 3 weeks later when I came to the National Capital to discuss with Members of the Congress, who were experienced and who were in places of leadership, what I should do as a new Member taking office for the first time in March 1933. I remember very well the counsel which I received from splendid men on both sides of the aisle. I recall, most of all, the discussion which I was privileged to have with Representative Joe Byrns, of Tennessee, later to become an able Speaker of the House. He was at that time in a place of leadership within the Democratic Party, which had partially taken control of the administration of this country by the election in 1930 of a majority of Democrats in the House of Representatives. I said to Mr. Byrns, "I am a novice, and I want to ask some questions. If I can gain membership only on one committee in the House of Representatives, I should like that to be the Committee on Labor."

I told him then that in my State of West Virginia I had seen the crucifixion of labor upon the cross of long hours, short pay, and unsatisfactory working conditions. If I had my choice, and the opportunity were extended, I desired to become a member of the Committee on Labor in this body.

It so happened that I was chosen a member of that committee, and since 1933 until this present moment when I exercise the responsibility which I well understand as acting chairman of that group, I have been a member of the Committee on Labor.

I shall now discuss this most important legislation.

First of all, I think the membership of the House should know, so the record be kept clear, that I am for H. R. 4908 as presented originally and filed by the

Committee on Labor, through its chairman, Mrs. NORRON, of New Jersey. I am for that legislation, proposed by the President of the United States and introduced into this body, and on which subsequently hearings and action were taken by the Committee on Labor.

The President of the United States, charged with almost fearful responsibility during this period of reconversion, said he desired placed in his hands this instrumentality to deal with the economic unrest and widespread strikes which were facing the people of this country during the last part of 1945 and the first weeks of 1946.

I must be equally frank with my colleagues and say, even though I am a vigorous advocate of the entire bill as presented in H. R. 4908, that I am just as strongly opposed to the so-called Case bill, which has been hurriedly presented and made a substitute for H. R. 4908. You will consider these proposals during the next few days, as Members individually and collectively, exercising your will and responsibility not only to your constituents in the counties you represent, but to the United States as a whole.

I trust that my remarks may be temperate, yet I hope they will be pointed, because I have made a study of this question. For what it is worth, I give you an analysis of the Presidential request, and ask you to think seriously, those of my colleagues who are listening today and those who may read the remarks I have made in the RECORD, about the reason why I predicate my support with the considered reasoning of the President and against other off-the-cuff proposals which are to be hastily considered.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield for a question?

Mr. RANDOLPH. I yield to my good colleague from Oklahoma.

Mr. JOHNSON of Oklahoma. The gentleman is making a very informative statement. I was very much interested in the gentleman's statement that he favors the President's proposed fact-finding bill. May I not suggest that certain polls indicate, particularly the Gallup Poll, that 8 out of 10 people in the United States favor the President's bill. Does not the gentleman think that the House has a moral right to vote for or against the President's fact-finding bill rather than either the bill as reported by the House Labor Committee or the so-called Case amendment that has been made in order?

The Case amendment may be a decided improvement over that reported out by the House Committee on Labor, but the point I am trying to make is that, considering all the discussion for and against the President's proposed fact-finding bill, that this House should be given the privilege of voting first on the President's proposal. What does the gentleman say about that?

Mr. RANDOLPH. The gentleman from Oklahoma poses a question, at least partially approached by other Members in discussing this matter of the rule. I wish we could vote first on the President's request in H. R. 4908 inclusive in all its provisions.

The reason I voted for the rule, I may say to the gentleman from Oklahoma and my colleagues, is because I am the acting chairman of the Committee on Labor of this House and the President of the United States requests that the legislation which he had drafted and sent to our body be reported. I am sorry the House Labor Committee did not report the full text of the President's bill. I so voted in the committee.

Under the rule if in the committee we adopt the Case substitute and then come into the House and vote down the Case amendment we have the opportunity in the House of voting for H. R. 4908, because that would then be in order; that is the only way, I may suggest, that I could carry out the desire of the Administration and my own personal wish in getting, although under not the most favorable circumstances, an opportunity to vote, I hope, on H. R. 4908.

Mr. JOHNSON of Oklahoma. If the gentleman would indulge me a little further—

Mr. RANDOLPH. I always indulge my friend. Certainly I yield.

Mr. JOHNSON of Oklahoma. My question was not propounded in any spirit of criticism, for I too voted for the rule to bring up this bill for consideration. The adoption of the rule is the only means presented of ascertaining the sentiment of the House not only on the Case bill, but it also gives hope ultimately of getting a vote on the President's fact-finding bill.

Mr. RANDOLPH. I now yield to my friend from Texas.

Mr. RUSSELL. I believe the gentleman has already answered the question I intended to ask, but to be sure I will state it. I understood the gentleman to say that he favored that part of the President's proposal which the Labor Committee struck out beginning at the bottom of page 3, subsection (b) on the fact-finding boards, as well as the first part of section 4, beginning on page 5, midway.

Mr. RANDOLPH. In the committee I voted against the emasculation of H. R. 4908 when it was attempted by striking out of the proposed bill the cooling-off period and the subpoena power. I was for the bill as it was introduced. I was opposed to having those sections deleted in committee.

Mr. RUSSELL. That is exactly the answer I expected.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to my friend from Pennsylvania, a member of the committee.

Mr. KELLEY of Pennsylvania. Do I understand the chairman of the committee to say that if the so-called Case substitute is defeated, then in order will be H. R. 4908 as it was presented to the Labor Committee or as it was voted out?

Mr. RANDOLPH. As it was presented. It will be an original bill in the House if we vote down the amendment.

Mr. KELLEY of Pennsylvania. Does the House get no chance to vote on the bill as it was reported by the Labor Committee?

Mr. RANDOLPH. First of all, if the Case amendment is defeated in the

House, the vote would recur on the full text of H. R. 4908, and not the amended and reported bill, as it came from the Labor Committee.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to my colleague.

Mr. HARRIS. And in that connection the question then would be whether or not the committee would adopt the amendments of the Labor Committee reporting this legislation to the House; and if the committee failed to adopt the two amendments, that is, the committee and the House fail to adopt the two amendments incorporated in the bill presented here, then you would have the President's original fact-finding proposal.

Mr. RANDOLPH. Yes. If whatever is adopted in the committee is refused in the House the next vote comes on the original H. R. 4908.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield for a question?

Mr. RANDOLPH. Yes; I yield to my friend from Pennsylvania.

Mr. KELLEY of Pennsylvania. How could the House vote on the original bill, H. R. 4908, when it was not reported?

Mr. RANDOLPH. It was reported, sir, with amendments. We did not report a clean bill. We reported H. R. 4908 with amendments.

Mr. RAMEY. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Ohio.

Mr. RAMEY. H. R. 4908 with amendments is what we would still have to vote on provided the Case substitute is defeated. We would have to vote on what the committee brought in, would we not?

Mr. RANDOLPH. I am told by the Parliamentarian that the vote would recur on the original bill in the event the amendments adopted in the Committee of the Whole were defeated in the House. If I am in error, I will adjust my remarks to suit the exact situation. This rule, as you understand, from a discussion by the members of the Rules Committee and others in this House, has been somewhat in dispute.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I understood a while ago that if the Dirksen amendment prevailed, that would take priority over the other bill; am I correct?

Mr. RANDOLPH. I am sorry, I do not know about the Dirksen substitute, and if such is to be offered.

Mr. EDWIN ARTHUR HALL. There was a proposed amendment by the gentleman from Illinois [Mr. DIRKSEN].

Mr. RANDOLPH. I regret I do not know of any Dirksen amendment. I have not been advised in that regard.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself 10 additional minutes.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Michigan.

Mr. HOFFMAN. If I understand correctly, the Dirksen amendment or substitute, whichever you want to call it—substitute I think is proper—will be offered as a substitute for the Case bill. It is a sort of a younger son in the family or child in the family. Some of us, I guess, have not seen it. I thought of offering a substitute for the Dirksen amendment in the form of one to be written next week.

Mr. EDWIN ARTHUR HALL. I am asking for information. In the event this other amendment or substitute that the gentleman refers to comes up, what will then be the situation on the original bill?

Mr. RANDOLPH. The gentleman would not attempt to go into the matter of the Dirksen amendment. I know nothing about it at this point. I have not heard there was any so-called substitute to be offered by the gentleman from Illinois [Mr. DIRKSEN]. During the debate I hope we can be clarified, as well as attempt to clarify, in the situation which will exist when the actual amendments are offered.

Mr. HOFFMAN. Of course, if the Dirksen substitute is offered to the Case substitute and the Dirksen substitute is adopted, when we get back to the House the situation is the same as the gentleman from West Virginia has outlined. There will be an opportunity to vote on the original bill.

Mr. KELLEY of Pennsylvania. The gentleman stated he knows nothing about the Dirksen amendment. I do not think anyone else does either. The gentleman did not know anything about the Case substitute either before Tuesday evening, did he? No one else did.

Mr. RANDOLPH. The gentleman knows I am opposed to the Case substitute and vigorously oppose it. I will fight it with all the proper power that I have as an individual Member. I think the Case bill first came to my attention in a roundabout method on the morning of the afternoon it was introduced.

Mr. KELLEY of Pennsylvania. I am trying to bring out the point that the so-called Case substitute was introduced without the knowledge of the Members of the House until Tuesday afternoon.

Mr. RANDOLPH. I secured my printed copy yesterday afternoon.

Mr. KELLEY of Pennsylvania. It was reported to the Labor Committee. The Labor Committee never saw it before.

Mr. RANDOLPH. As a Member of the Labor Committee and of the House, I did not see the bill until yesterday afternoon.

Mr. HOFFMAN. Is it not true that no member of the Labor Committee was in favor of the bill which we reported, that we reported this out solely for the purpose of enabling the House to act as the President had suggested?

Mr. RANDOLPH. I can assure the gentleman that was my position.

Mr. HOFFMAN. That was my position, too.

Mr. RANDOLPH. I so stated in the committee.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I want to express my appreciation of the action of the Labor Committee in reporting out a bill so that we would have an opportunity to do something.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. HOFFMAN. And when we provided the vehicle so that you could have something before Congress, the members of the Committee on Rules denied us the right to offer our proposed legislation. That was the ungrateful attitude taken after cussing out the Labor Committee over the years because of inaction. When we did do something and reported it out, you choked us off and denied us any opportunity to consider even our own bill. I will go along with the legislation, but I do not want anybody to think that I have not been kicked and slapped around.

Mr. RANDOLPH. I admire the courage of the gentleman from Michigan because he shows no hesitancy in attacking what he believes to be wrong, even if it emanates from his own party circles, just as well as the Democratic side of the House.

Mr. HOFFMAN. Now, Mr. Chairman, I do not want the gentleman to put me in a position where I am not a loyal, regular Republican Member of the House.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. I was not here when the gentleman began his discussion. I am always very much interested in what he is saying on the floor of this House. I heard the gentleman say that he was opposed to the Case bill. I do not know whether I am opposed to it or in favor of it, but the question I want to ask is this: Does not the gentleman think the time has arrived when the Congress should take some affirmative action with respect to labor disturbances that are now so general throughout the country?

Mr. RANDOLPH. Yes; I do think that is a responsibility, and that is why I am advocating the bill H. R. 4908. I think it deals adequately with the situation in which we find ourselves during the period of reconversion.

Mr. DOUGHTON of North Carolina. I should apologize for asking the question, but I was not here when the gentleman started, and I did not know which bill he favored.

Mr. RANDOLPH. I favor the President's request embodied in the bill that the committee originally had before it.

Mr. DOUGHTON of North Carolina. That bill, if adopted, can be offered as a substitute for the bill before the House, can it not?

Mr. RANDOLPH. Yes. After we have had up the so-called Case amendment passed in committee, and then we defeat it in the House, as I am told by the Parliamentarian, we will have an opportunity to vote on the original bill, H. R. 4903.

Mr. DOUGHTON of North Carolina. If we do not perfect this to the satisfaction of the majority Members of the House, then we can take up the bill that is recommended by the President of the United States.

Mr. RANDOLPH. That is correct, and I so advised the House.

Mr. THOMASON. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Texas.

Mr. THOMASON. We could not vote on the so-called committee bill unless the Case substitute is voted down, could we?

Mr. RANDOLPH. No; and I have so stated several times. If the Case amendment is reported from the committee and then defeated in the House, we could then vote on the original bill, H. R. 4908.

Mr. Chairman, a century ago labor's right to organize received judicial recognition in this country. Prior to 1842, when the decision in Commonwealth against Hunt was handed down, a strike for higher wages was considered a criminal conspiracy. For many years the use of black lists, "yellow dog" contracts and labor spies, backed by the economic power of certain great business organizations, made organization of labor most difficult and slow. With the enactment of section 20 of the Clayton Act Congress recognized the inequality of bargaining power between labor and management. The court soon nullified section 20, however, through restrictive interpretations. That is my claim. It may not be the feeling of many Members of this House. It was not, indeed, until the 1930's and the enactment of the Norris-LaGuardia Act and the Wagner Act that Congress not only fully recognized but implemented with protective legislation the right of employees to bargain collectively through representatives of their own choosing. Over the last decade, labor union membership has increased to nearly 15,000,000.

Most of American industry has now accepted collective bargaining with organized labor as the American way of settling disputes between employers and employees. At the same time, conflicts between labor and management have increased in intensity and magnitude. Today labor and management conduct themselves in much the same fashion as two prize fighters in the ring. Both labor and management seem to regard their disputes as fight-to-the-finish combats. When labor and management cannot agree, they seem to prefer to slug it out and let the stronger side win.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield again to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. Has it occurred to the gentleman that in this desperate struggle where each desires to be in the ascendancy both have disregarded the public interest?

Mr. RANDOLPH. I am coming to that point now.

Unlike prize fighters, however, they are not willing to come to the referee for instructions.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself 10 additional minutes.

Unlike most prize fights, the battle between labor and management now involves an innocent third party on a scale seldom before reached—the public. The public in this instance is not only caught in the middle, the public is being struck below the belt. That may be a strong statement, but I believe it very thoroughly.

This is a critical period in the reconversion effort. It is obvious that in important segments of industry collective bargaining is not functioning at this time in a manner that will insure continued production in major industries.

I draw this picture, which may be apropos. A merchant who has no goods upon his shelves to sell to a consuming public, eager to buy, will soon of necessity close his doors. It is the same with America today. If we do not get into productivity and supply the materials and the necessary equipment with which our peacetime life can begin again, we face in this country, I fear—I hope I am wrong, but I fear it—a distressed, a disastrous, and a barren period. I think we face it much sooner than we should like to admit. The Government and the public have a vital stake in production, in full production, may I say. Unless we get it and get it quickly, the dangers of the inflation will continue to mount. It is only through an abundant flow of goods that the long-deferred and pent-up purchasing power of the Nation will be satisfied and something like an economic equilibrium restored. Labor and management, however, seem to be more interested—and understand, Mr. Chairman, I am making no distinctions here today; I am pointing constantly to both labor and management—in embroiling themselves in economic conflict than in getting on with the job of full production.

We no longer settle lawsuits by the method of trial by combat. We have also outgrown the stage in our industrial development in which we can afford the costly technique of settling important industrial disputes in major industries through the medium of economic trial by combat.

In the last few weeks the widespread industrial unrest has resulted, we know, in many major work stoppages. The steel, meat-packing, electronics, radio, automobile, telephone, and communications industries have dramatically recorded the break-down in collective bargaining resulting from the failure to resolve peacefully problems arising from reductions in take-home pay through shortened hours, down grading of workers, and shifts to wartime jobs carrying relatively high wage levels to peacetime jobs which carry lower rates.

Now, the President of the United States has been faced with the problem of maintaining industrial peace. He has demonstrated his concern, I believe, for this threat to the success of the reconversion effort which these work stoppages represent. He has recommended, I say to my Democratic as well as my Republican colleagues, the enactment of legislation for the establishment of fact-finding boards. The country has looked to

the President for leadership in showing the way to the settlement of our present turbulent labor-management relations. The President is entitled to the support of the country in his efforts to meet this problem. We should furnish him with the means for achieving the objectives of industrial stability, full production, adequate wages and living standards. I think the means is found in the enactment of H. R. 4908 in the form in which it was originally introduced. This bill would provide for the appointment of fact-finding boards consisting of persons who have no pecuniary or other private interests in the matter to investigate labor disputes which seriously affect the national interests and to make a report and recommendations concerning the facts of these disputes. Some representatives of labor and management have indicated little concern for the public welfare. This measure requested by the President recognizes clearly the general public concern in the prevention of work stoppages which seriously affect the national interests. It provides, therefore, for a 30-day waiting period during which the status quo is to be maintained. The bill would furnish an opportunity to the parties, that is, to the parties of the dispute, through which a full and fair hearing to present evidence in support of their contentions would properly be made. It would also enable the board to obtain all necessary information so that it can make its findings of fact through the medium of authority to subpoena witnesses and records relevant to the investigation at that moment. Now if the fact-finding process is to be effective, these boards must be able to obtain all relevant facts. That is immediately the place where a certain segment of our industry raises its head and says, "You shall not find or use these facts."

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Illinois.

Mr. VURSELL. I would like to ask the gentleman if he does not find that the people of his district, the little businessmen generally, are against fact finding. I find it so in my district, that the small businessmen throughout the district are against fact finding and labor people are also. I wonder if it is that way in the gentleman's district.

Mr. RANDOLPH. I should say to the gentleman I have a very high regard for the intelligence of the constituency of my district. I am sure the gentleman does also for the constituency of his district, but sometimes the prospects of legislation are involved and it is not until weeks after a proposal has been made that the public really knows the implications contained in the provisions of a bill as it was originally presented or perhaps passed or defeated by the Congress. I shall give you later what the Gallup poll shows on the President's proposal. It is not for me to state whether it is correct or incorrect; I only give it to you as a matter of public interest.

Mr. VURSELL. Will the gentleman indulge me for another question?

Mr. RANDOLPH. I yield to my splendid colleague.

Mr. VURSELL. Perhaps the gentleman can clear up this question in my mind which I am at a loss to understand: How can any fact-finding board now going into the facts in regard to United States Steel, let us say, determine in advance, also keeping in mind the retroactive pay raise, what they will be able to pay labor in the coming year? That is the thing that bothers me on this fact-finding proposition.

Mr. RANDOLPH. That is going to bother us whether we have fact finding or not, even under the collective bargaining that will exist.

Mr. VURSELL. It is trial and error now.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Pennsylvania.

Mr. KELLEY of Pennsylvania. There appeared before the Committee on Labor the president of the National Association of Manufacturers, and the president of the United States Chamber of Commerce, along with the leaders of the larger unions. None of them was interested in fact finding. They did not want it.

Mr. RANDOLPH. As much as I dislike to disagree with the gentleman from Pennsylvania, the record will not show that to be true. I have before me the hearings, and if the gentleman and other members of the committee will turn to page 36, they will see that Mr. Eric Johnston makes a statement which I think you will want to consider.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself an additional 10 minutes.

I want to remind you also that Mr. Eric Johnston did not appear as head of the United States Chamber of Commerce. He made that very clear in his opening statement. He said that organization had not taken action; that he was only giving his personal opinion.

He said:

I do believe that in a democracy the public has a right to the facts on an industrial dispute if the issue vitally affects the public interest.

That, my colleagues, is why the President of the United States is thinking these days of the necessity of this proposal. It is in the public interest. Our Chief Executive is certainly not going to indiscriminately set up fact-finding boards. You know the President is interested in the welfare of the workers of the country. He is not going to do anything that would abrogate the rights of labor in collective bargaining with management.

Mr. Johnston further stated:

However, unfortunately, at the present time the public has no method of arriving at the facts involved. So it has always appeared to me, and I have been constantly an active spokesman of fact-finding as an aid toward the adjudication of industrial disputes.

That, sir, is the view of Mr. Johnston.

Mr. KELLEY of Pennsylvania. Did he not qualify that?

Mr. RANDOLPH. All through his testimony he was cautious.

Mr. KELLEY of Pennsylvania. That he did not wish the subpoena power to be granted, that fact-finding was all right if it was on a voluntary basis?

Mr. RANDOLPH. Labor, through some leaders, on the one hand does not want a waiting period. Certain management does not want the subpoena on the other hand. That is why I am for the President's request. It is courageous on both ends of the dilemma. It gives to him the power which he will judiciously use in finding the facts in the interest of the entire consuming public, as well as any lesser group in our country.

You will also find that Mr. Mosher testified, and I would ask you to turn to page 80 of the hearings and you will see what the president of the National Association of Manufacturers said:

I came here to support the objectives of President Truman's message, as well as the underlying principle of so-called fact-finding legislation.

Now, there are the opinions of two industrial leaders. They were both bolstered in their rather guarded statements by the Secretary of Labor, Mr. Schweilenbach, but he was enthusiastically for the bill.

Mr. GEELAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. In just a moment I will yield. They were joined in their belief in the fundamentals of fact-finding by the Secretary of Labor and, of course, the President of the United States. But the witnesses who came before us who were against any feature of the President's request were the president of the American Federation of Labor, Mr. Green, and the president of the CIO, Mr. Murray, and also the president of the United Mine Workers of America, Mr. John L. Lewis. That is the correct picture of what transpired in the hearing.

Mr. Chairman, at this point, I am glad to acknowledge the many worth-while gains these three labor leaders have helped to achieve for the men and women within organized labor. I personally know of the long overdue gains secured for the coal miners, in my State and elsewhere, by Mr. Lewis.

I yield to my friend from Connecticut, a member of the committee.

Mr. GEELAN. Does not the gentleman recall that Mr. Mosher also stated he wanted the cooling-off period lengthened? I believe he suggested 90 instead of 30 days. And does not the gentleman also recall that Mr. Mosher tells us he was against granting subpoena powers to the fact-finding boards? And does not the gentleman also recall that Mr. Mosher testified that he did not want this to apply to industry generally speaking, but wished it confined to those circumstances where the national health or safety were concerned and not the national welfare or interest?

Mr. RANDOLPH. I have said that gentlemen representing both labor and management came before our committee and they did not desire in toto the President's proposal. Neither Mr.

Mosher nor Mr. Johnston endorsed all of the provisions of H. R. 4908. They have said only that they endorsed the principle of fact finding; the three labor leaders wanted no part of the bill.

Mr. GEELAN. As a matter of fact, Mr. Chairman, is it not true that what Mr. Mosher was actually saying was that he did not want the bill but that he did not want the onus of the defeat of the bill?

Mr. RANDOLPH. I do not know what Mr. Mosher wanted to say. I only repeat, as you will read in this address, that I believe that labor and management, certainly sections within each, want nothing. Management does not want to be tampered with, not for a single moment. No subpoena powers they say; they do not want labor to have, through a fact-finding board, vital information; by the same token, certain labor leadership does not desire to stop even for a few days the legitimate right to strike even though delay in the strike would be in the public interest.

Mr. GEELAN. Mr. Chairman, would the gentlemen yield further at this point?

Mr. RANDOLPH. I yield; yes.

Mr. GEELAN. Would the gentleman agree that it would be a radical departure from our democratic way of life if we were to permit a fact-finding board to go into the books of any company, obtain therein all of the secret information the company has, and then spread that upon the public records?

Mr. RANDOLPH. That is not done in the President's bill; oh, no.

Mr. GEELAN. Does the gentleman know of any other way in which the boards could accomplish their purpose unless the public were acquainted with the facts resulting from their investigation?

Mr. RANDOLPH. Oh, yes; yes. Did the gentleman ever arrive at a fact in his own mind and come to a decision but not tell the public the processes by which he arrived at the decision?

Mr. GEELAN. But that is not what the public wants to know; the public wants to know the facts so they can judge. Without the facts they cannot judge, and unless you tell them the secrets the companies' books show they cannot judge. That to me is a radical departure from our American way of life. Would not the gentleman also agree that the 30-day cooling-off period is a form of involuntary servitude?

Mr. RANDOLPH. No; I do not agree. I believe in the basic right to strike; I have always believed in it. The gentleman, if he will inquire into at least parts of my voting record, during almost 13 years will find—

Mr. GEELAN. I agree that the gentleman has always been, as far as I know, on the right side of every question, but I do not agree with him on this.

Mr. RANDOLPH. Nor with your President.

Mr. GEELAN. That is correct.

Mr. RANDOLPH. That is right. Let us make it perfectly plain that the President of the United States is opposed in this matter by many Democrats in this House.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. JOHNSON of California. Is it not the gentleman's opinion that the policy of the labor leaders and the industrialists is that they and their small groups alone are the only ones concerned? Right now in California there is a strike impending in the canning industry which could jeopardize the crops of the growers and prevent the canning of over a billion cans of fruits and vegetables. As a matter of fact the ones who will suffer most in such a strike, should it occur, will be the growers in California, who have not a thing to say about it, and also the consuming public back East, who would be deprived of these canned fruits and vegetables.

Mr. RANDOLPH. The gentleman is correct. That is why the President wants this instrumentality in the public interest. He has requested the bill to meet a condition and not a theory.

When the situation becomes so extreme, and when these two antagonists will not come to the referee in the center of the ring and receive instructions, he can, representing the public in the final analysis, use the processes of the fact-finding board.

We must return to what the gentleman from Connecticut [Mr. GEELAN] said about the American way of life and all the processes under which we work.

This may be beside the point, but I inject it at this moment: If this pulling and hauling between labor and management continues in this country we are surely to be faced with the nationalization of not only the public utilities and the services of this country but of practically every type of business as well. You know there are some persons within labor, there are some persons within management, and some persons within Government who are anxious for that day to come.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, do not mistake the real threat. There are those who desire just that. I trust it will not come. I hope that management and labor, standing with the President, for a middle of the road course, will give a little and take a little in the interest of the public and will not allow such a tragedy to happen.

Mr. KOPPLEMANN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Connecticut.

Mr. KOPPLEMANN. Then I understand from what the gentleman states, so that it will be clear in my mind, in order to avoid that which the speaker is in fear of, it is essential that we go through with a program that will give essential and necessary facts to the end that we may avoid strikes as a last resort?

Mr. RANDOLPH. The gentleman from Connecticut aptly states what is in my mind. I hope it is in his mind too.

Mr. KOPPLEMANN. It is.

Mr. RANDOLPH. That is splendid.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield further?

Mr. RANDOLPH. I yield to the gentleman from California.

Mr. JOHNSON of California. In the gentleman's opinion, will this bill cover and find the facts regarding jurisdictional strikes, strikes where there is no controversy between employer and employee but two labor unions are fighting over who shall be the bargaining agent in a plant, where the employer is absolutely paralyzed and wants to employ men but cannot because two groups of laborers are fighting? Will this bill bring out those facts clearly so the public can understand what the situation is?

Mr. RANDOLPH. I do not believe so. I believe that problem is of a broad-gauge type, as are many other problems which of necessity will have to be considered and should be considered perhaps within the near future by legislative committees. It is my opinion, and only my opinion, that this bill goes simply to the public interest where management and labor are holding back the productivity of essential consumer goods.

Mr. LANDIS. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Indiana.

Mr. LANDIS. Is it not a fact that the steel companies gave a 30-day strike notice and also at the end of the 30-day strike notice the time was extended for the strike 1 week? I wonder if any request for an extension of what is called the cooling-off period has been turned down by labor?

Mr. RANDOLPH. Not to my knowledge.

Mr. LANDIS. I was thinking of a voluntary system or a request that would be granted as was granted in the steel strike. I wonder if such a process as that might continue?

Mr. RANDOLPH. The gentleman will remember that the Ford Motor Co., through its president, has said, yesterday I believe, that if the steel strike continues the production of Ford motor cars will halt immediately. Is that not true?

Mr. LANDIS. That is true, but here is what I am trying to bring out: Would the 30 days be considered a cooling-off period?

Mr. RANDOLPH. I shall discuss that problem in a few minutes.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I put in the RECORD a week ago Friday a statement which conveys exactly what the gentleman fears, that is, nationalization or socialization resulting from all this. But I want to ask the gentleman this question: What is there in this bill that will cure the defects that neither side may accept, if they do not want to, the result of the fact-finding body? What has the gentleman in this bill to cure that situation?

Mr. RANDOLPH. I want to cover that question in just a moment.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from New Jersey.

Mr. HAND. Does the gentleman feel that corporate profits have a direct relationship to wages which should be

paid? For example, if A corporation is very well managed and it has corporate profits indicating ability to pay \$2 an hour, but B corporation, not so well managed, cannot pay it, both companies making the same product, how does the gentleman overcome that proposition?

Mr. RANDOLPH. This bill does not overcome it.

Mr. HAND. Are there any substantial facts that you want to find in this bill beyond corporate profits? That is what it is after, is it not—corporate profits?

Mr. RANDOLPH. This bill?

Mr. HAND. Yes.

Mr. RANDOLPH. The President's proposal?

Mr. HAND. Fact finding.

Mr. RANDOLPH. Does the gentleman mean in the settlement of a dispute?

Mr. HAND. What facts do they want to find by this bill?

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself fifteen additional minutes, and I shall answer the gentleman from New Jersey later.

If the fact-finding process is to be effective these boards must be able to obtain all relevant information. Provision for compelling the attendance of witnesses and parties and for access to records and for use of the subpoena power to obtain them when necessary is a prerequisite to the success of the fact-finding process. Those who think otherwise have short memories.

It was early 1943, I believe, that John L. Lewis successfully opposed the efforts of the War Labor Board to secure his presence at a hearing in a pending coal dispute. Congress later enacted the provision in the War Labor Disputes Act which gave subpoena powers to the National War Labor Board.

Nor is the element of defiance confined to certain labor leaders. Just a few weeks ago the General Motors Corp. withdrew from a hearing before a Presidentially appointed fact-finding board composed of men of outstanding integrity and considerable experience in the field of industrial relations.

There is no valid objection to the granting of the use of the subpoena power. The National War Labor Board never abused that power and the very existence of the power made it unnecessary to use the subpoena except on rare occasions. The subpoena power stricken from the bill by the House Committee on Labor should be restored.

No party to a dispute which sincerely feels that it has merit on its side should be hesitant to submit the facts to the appraisal of fair-minded men.

I would also recommend the restoration of the 30-day waiting period provided in the measure as originally introduced. Under the bill the findings and recommendations of the board would not be enforceable. Either party would be free to accept or reject the recommendation. The gentleman from Massachusetts indicated that just a moment ago in his observation. Generally speaking, however, experience has shown that the general public interest in seeing

that the recommendations of such a board are accepted will be a sufficient guaranty in most instances to secure that acceptance.

If strikes or lockouts are allowed, however, during the period in which the fact-finding board is investigating the dispute, the likelihood of acceptance is diminished. Apart from the imperative necessity of preventing such work stoppages, the existence of such a stoppage tends to lead the parties to adopt intransigent attitudes in regard to any yielding from their respective positions.

We have a wholesome precedent in the history of the emergency boards which have been appointed under the Railway Labor Act. The recommendations of those boards have met with almost complete compliance and acceptance. The waiting period provided for in that act is demonstrated by the facts to be a useful provision. The 30-day period is a reasonable one.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Since the gentleman has called attention to the beneficial effects of the Railway Labor Act, I cannot resist the opportunity to point out that the proposals in H. R. 5262, the so-called Case bill, follow very closely the procedure and the principles and policy of the Railway Labor Act.

Mr. RANDOLPH. May I point out what is to me a more pertinent fact, that H. R. 4908 contains the procedure also, and that is the bill I am advocating today.

I said the 30-day period is a reasonable one. It is identical in duration with the waiting period provided for in the War Labor Disputes Act. Labor and management have complied in the main with that requirement without apparent undue hardship.

I should emphasize that the 30-day period provided for in H. R. 4908 as introduced is not a cooling-off period, as such, but the 30-day period is one in which the process of hearings and fact finding and recommendations will take place. I think there is a vast difference. A cooling period in which nothing is done would accomplish less than was intended. It is a period which looks toward the settlement of the dispute, and not a period of preparation for the beginning of a strike. Do you not think that is important? I think it is essentially sound that in that period we prepare for the settlement of the dispute and do not use the time to prepare for a strike.

Some labor leaders, perhaps all of them, have objected to the 30-day provision. I have myself found no valid merit in the objections. The railway unions have had no difficulty under similar provisions in the Railway Labor Act.

The provisions of the bill would not of course be applicable to every type of labor dispute. That is what the gentleman from New Jersey discussed a moment ago. It is contemplated that the fact-finding procedure would be used in a relatively few cases. It would be utilized only when the Secretary of Labor had certified that conciliation and arbitration had failed, that the parties

were unwilling to submit the controversy to arbitration, and that a stoppage of work would seriously affect the national interest. The procedure would not be applicable to disputes in small plants or local industries. That is why I partially answered the gentleman from Indiana by saying that there were perhaps reasons why now the fact-finding proposal would not be thoroughly understood by every man having a small business undertaking. Such provisions are sound. If public opinion is to be brought as an effective inducement upon the parties to accept the recommendations of fact-finding boards, there must not be too many such boards appointed. I cannot make that too strong. That is my feeling and I believe it is the feeling of all Members of this House who support fact finding in any degree.

This public opinion could not be effectively marshalled in support of the findings and recommendations of these boards. This bill, that is, H. R. 4908, would not create any legal rights in any of the parties to the dispute. Neither labor nor management may properly raise the cry of compulsion. Nevertheless, I feel that the moral obligation is sufficient to guarantee virtually a complete compliance with the rules of the game as set forth in the bill H. R. 4908. Moral obligations are more effective in the settlement of labor disputes than the imposition of penalties. In that statement I can join my friends who even argue against the provisions of the fact-finding legislation. I think as a distinguished commentator in the field of labor relations has pointed out that legislation requiring married couples live happily ever after will not accomplish the desired results. Labor relations are nothing more than human relations on a larger scale. The history of no-strike, no-lock-out pledges, given by industry and labor during the war, indicates that moral obligations are more effective than legal sanctions in this field and the whole amount of time lost due to work stoppages was small.

The existence of criminal penalties for engaging in strikes in Britain during the war did not prevent the occurrence of strikes in that nation.

I think it is wise, therefore, that this bill create no legal duties. Moreover, while some of the representatives of labor may be reluctant to place their case before a fact-finding board as a referee, the public does because it is vitally affected by these controversies. I think there is a fair-mindedness and a directness, gentlemen, as to this proposal of the President of the United States.

In the survey of the American Institute of Public Opinion issued on January 3, 1946, less than a month ago, 78 percent of the people canvassed were in favor of the President's proposal and only 11 percent disapproved. Of the union members questioned on the survey, 70 percent approved, 16 percent disapproved, and 14 percent were undecided. In a similar survey conducted by the Des Moines Sunday Register, 72 percent of union members in Iowa voted for the approval of the President's plan.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield again to the gentleman from Illinois.

Mr. VURSELL. Is it not a fact that everyone wants the facts, but is it not a further fact that not 10 percent, in your judgment, of the people who voted on the Gallup poll thought the thing through or knew what they were voting for?

Mr. RANDOLPH. You have just stated your constituents knew how they stood on this matter, as expressed to you in letters, and so forth. Why would not you believe the poll to be as valid and correct as to receive a letter or a statement on this subject by communication?

Mr. VURSELL. I qualified my statement by referring to businessmen who generally think things through along that line a little more quickly than the general public.

Mr. RANDOLPH. In a degree, that may be correct.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. DOUGHTON of North Carolina. In view of the great public support that the President's proposal has had, according to the Gallup poll, can the acting chairman give us any reason why a bill carrying out the purpose of the President's proposal was not favorably reported by the Committee on Labor? The bill failed to receive the favorable action of the committee, and there must be some reason why a bill recommended by the President, which was so popular and had so much support in the public mind, has not received favorable action by the Committee on Labor. That situation bothers me.

Mr. RANDOLPH. Of course, it disturbs the gentleman now speaking. I think the Labor Committee should have reported the Presidential request, as embodied in H. R. 4908. A motion to report the bill, unamended, the President's bill, was defeated 13 to 5. A motion to strike out the subpoena powers was defeated 9 to 7. A motion to strike out the waiting period was defeated 10 to 7. You have both sides of this picture—those who were opposed to the subpoena and those who were opposed to the cooling-off period. A motion to strike out both the waiting period and the subpoena power was adopted 10 to 8. Then, finally, the bill as amended was reported by that same vote to the House.

Mr. DOUGHTON of North Carolina. Which bill as amended? The bill now under consideration?

Mr. RANDOLPH. Yes. H. R. 4908.

Mr. DOUGHTON of North Carolina. The bill reflecting the views of the President, then, did not receive the support of a majority of the members of the committee?

Mr. RANDOLPH. No. It was defeated. A motion to report the bill without amendment was lost 13 to 5. Only five of us voted to report the Presidential request, as embodied in H. R. 4908.

Mr. DOUGHTON of North Carolina. So the bill carrying out the President's viewpoint has not been reported by the Committee on Labor?

Mr. RANDOLPH. No, sir, it has not. I think it should have been.

Mr. DOUGHTON of North Carolina. I was wondering why, with the overwhelming support it has from the public, it did not receive a favorable report from the Committee on Labor.

Mr. RANDOLPH. The gentleman must understand I have a very sincere regard for the members of the Committee on Labor. They disagreed with me, but I do not fall out with them personally on that count. They have their viewpoints and their reasons for such action. I regret the action taken. I wish we could have brought here the President's bill in toto and let it be discussed and voted up or down. We would thus let the country know that we as Democrats and Republicans stand behind the President in this period of reconversion, in his attempt to bring about economic stability. We had unity in war—we need it now in peace.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. HOFFMAN. Will the gentleman tell the committee how many of those five were proxy votes?

Mr. RANDOLPH. One was a proxy.

Mr. HOFFMAN. Does the gentleman mean there were four of them present?

Mr. RANDOLPH. Yes. The gentleman from North Carolina [Mr. BARDEN], the gentleman from New Jersey [Mr. HARTLEY], the gentleman from Indiana [Mr. LANDIS], and myself. Mr. MORRISON's proxy made the five votes.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. ZIMMERMAN. Did I understand the gentleman to say that 72 percent of the votes amongst labor unions recommended the President's proposed bill?

Mr. RANDOLPH. Seventy percent, as shown by the Gallup poll throughout the Nation. Seventy-two percent, as shown by a poll taken in Iowa. That is of the union members. Seventy percent Nation-wide; in another poll in Iowa, 72 percent.

Mr. ZIMMERMAN. Did I understand the gentleman correctly when he said the representatives of labor before your committee opposed the President's suggested legislation?

Mr. RANDOLPH. That is correct. Mr. Murray, Mr. Green, and Mr. Lewis.

Mr. ZIMMERMAN. Then, the gentleman means to say that they were not supporting a majority of their own people in this matter?

Mr. RANDOLPH. I do not mean to say anything about who they were representing. I only say to you they were opposed to this legislation. I like to believe the majority of labor union members feel otherwise.

Mr. ZIMMERMAN. Well, they were not representing a majority, then, before your committee, in their opposition to this bill. Of course, that is not taking into consideration a segment of our population known as John Q. Public.

Mr. RANDOLPH. And I think that he is a tremendously important factor. That is the reason why the President wants this legislation passed.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. JOHNSON of California. I have often heard from both sides of this problem that they do not want the facts concerning industry disclosed to labor or the facts concerning the unions disclosed to industry. Is it your conception that the facts which are submitted to the President are confidential facts, and those facts respecting industry will not be turned over to labor, and vice versa?

Mr. RANDOLPH. That is correct.

Mr. JOHNSON of California. In other words, they are just for the use of the President?

Mr. RANDOLPH. Yes; for the carefully used fact-finding board in a particular dispute at issue. The President, as I say, has so indicated.

Mr. JOHNSON of California. And not to be disclosed to either party to be used by either party in its controversy with the other party.

Mr. RANDOLPH. Absolutely not. I now yield to the gentleman from New York.

Mr. CELLER. I should like to ask two questions of the gentleman from West Virginia, who is an expert on this matter: Would the gentleman say that the Case substitute bill would be a return to yellow-dog contracts and indiscriminate labor injunctions?

Mr. RANDOLPH. I should say as I see it on a quick survey of the Case bill, and that is all I have been able to make because I did not see it until yesterday afternoon—

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself 3 additional minutes.

Mr. CELLER. Is the gentleman's answer in the affirmative?

Mr. RANDOLPH. I say as I understand the Case bill, and I received it last night or late yesterday afternoon, it is a catch-all bill. It may have some provisions within it which are agreeable. The gentleman from South Dakota calls attention to the so-called 30-day waiting period, as contained in the Case bill; that is contained in the President's request.

Mr. CELLER. Yes; but it would allow a return to indiscriminate labor injunctions.

Mr. CASE of South Dakota. Oh, absolutely not.

Mr. RANDOLPH. I have said that I believed the bill was a catch-all bill, that there are so many provisions which I think would have to be studied on their individual merits at a particular time.

I am for this bill, the President's bill. In the public interest he has requested it as an instrumentality to be placed in his hands to give to the people of this country, the consuming public, an uninterrupted production of consumer goods in a time when we need them; he is not damning labor or management in requesting that.

Mr. CELLER. I wish, if I may be permitted, to answer my own question. The Case bill does return to those very dark and murky days; and, to quote the Bible, "as a dog returneth to his vomit, so a fool returneth to his folly."

Mr. HOFFMAN. Now, wait a minute. Mr. Chairman, I object to those words.

I ask that those words be taken down as unparliamentary language.

Mr. CELLER. But I quoted the Bible.

The CHAIRMAN. What words does the gentleman object to?

Mr. HOFFMAN. Where he said we would be like a dog returning to his vomit if we defeated this bill.

Mr. CELLER. I said the Case bill. That is a quotation from the Bible.

Mr. HOFFMAN. The gentleman can quote more Scripture to his purpose than anyone else.

The CHAIRMAN. The Chair rules this all out of order. The Clerk will take down the words objected to.

Mr. CELLER. Mr. Chairman, I demand that the words of the gentleman from Michigan be taken down. He said I quoted Scripture to my own purpose, like the devil.

Mr. CASE of South Dakota. Mr. Chairman, I rise to a point of order. When a demand is made to take down a Member's words, that Member has no right to the floor until the matter has been settled.

The CHAIRMAN. All gentlemen will take their seats.

The Clerk will report the words objected to.

The Clerk read, as follows:

Mr. CELLER. I wish, if I may be permitted, to answer my own question. The Case bill does return to those very dark and murky days; and, to quote the Bible, "would they be like a fool who returneth to his folly, or a dog that returneth to his vomit?"

The CHAIRMAN. The Committee will rise.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. CHELF, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee, having had under consideration the bill H. R. 4908, to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes, certain words used in debate were objected to and on request were taken down and read at the Clerk's desk, and he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words objected to.

The Clerk read as follows:

Mr. CELLER. I wish, if I may be permitted, to answer my own question. The Case bill does return to those very dark and murky days; and, to quote the Bible, "would they be like a fool who returneth to his folly, or a dog that returneth to his vomit?"

The SPEAKER. The Chair does not know all that happened before the language objected to was used, but the name of no Member is mentioned. In the words taken down the gentleman was giving his opinion of a measure before the House. The Chair would be compelled to hold that the language is not unparliamentary.

The Committee will resume its sitting.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 4908, with Mr. CHELF in the chair.

Mr. RANDOLPH. Mr. Chairman, I shall not quote from the Bible or at-

tempt to quote from any book. I would repeat the words of Joaquin Miller in that famous poem Columbus, when he said:

This mad sea shows its teeth tonight.
He curls his lip, he lies in wait with lifted
teeth as if to bite.

I think we get into a biting mood when it comes to a discussion of this problem, and it is not good, my colleagues, to become unduly upset.

Mr. CARNAHAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Missouri.

Mr. CARNAHAN. I wanted to make this observation, that the President has proposed a remedy for the solution of our industrial strife. Is it the opinion of the gentleman that if we do not follow the President's proposal, then about the only step for us is legislation which will be definitely toward socialization of industry?

Mr. RANDOLPH. The gentleman expresses my fear that socialization or nationalization of industry may come if this unabated pulling and hauling goes on.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself four additional minutes.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Michigan.

Mr. HOFFMAN. My question involves this assumption that the gentleman, and I think it is a logical one, is wholeheartedly and vigorously in support of the President's bill, the so-called Norton bill.

Mr. RANDOLPH. That is right.

Mr. HOFFMAN. But if after consideration the Members of the House should vote for the Case bill, as I know the gentleman, he is in no way intimating that we are like dogs returning to our vomit.

Mr. RANDOLPH. The gentleman returns to a term I was trying to forget.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I would say that the gentleman from West Virginia is far too intelligent, far too generous ever to make such comment, or have words put in his mouth on a bill which he says he is not familiar with the details of. The gentleman from West Virginia would never make such a broad statement unless he had an opportunity to study it. The gentleman from West Virginia never would.

Mr. RANDOLPH. I hope the gentleman from West Virginia is worthy of the gentleman's words of my position.

Now, may I be allowed to close by saying that I gave you the vote in connection with the poll of the cross sections of America, and specifically the members of unionism.

It is interesting to note also that some of the great religious organizations of this country have endorsed the principle of fact finding. The Federal Council of Churches of Christ in America, representing 25 Protestant denominations, the

Synagogue Council of America, and the Department of Social Action of the National Catholic Welfare Conference have recommended the use of the fact-finding process.

Before making this proposal the President convened a labor-management conference. Labor and management were given every opportunity to reach an agreement upon machinery for the settlement of labor disputes. The conference failed to come to grips with the very vital problem as to the machinery to be created for the resolution of disputes when conciliation or mediation have failed.

The President is attempting to smooth the road for reconversion, offering a democratic and fair-minded means for the settlement of major labor disputes. The problems of reconversion are peculiarly complex and exceedingly difficult. We should furnish the Nation's Chief Executive with the equipment he needs for a successful solution of the problem of the settlement of major labor-management controversies.

Gentlemen, do not quickly turn your minds and your votes against the President's request as embodied in H. R. 4908.

Mr. LANDIS. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, strikes and threats of strikes are causing much controversy throughout the Nation. The strike wave has monopolized public attention. Everyone is interested in reestablishing labor-management peace and getting the Nation safely back on the reconversion road. The Nation is looking to Capitol Hill as well as the White House for termination of the strife. America wants full production and full employment. Our people want no protracted interruption in our reconversion program. Their happiness and well being are at stake.

Perhaps the administration made a mistake when it removed the War Labor Board before the reconversion program was under way. If the War Labor Board had been continued for another 6 months and the Little Steel wage formula increased 15 to 20 percent, we might be in full production today. Prices could have been raised enough to allow management to pay the wage increase. Of course, many would shout inflation but full production is the only sure weapon against runaway inflation.

Since President Truman turned thumbs down on my proposal to allow a small committee from Congress to be present at some of the fact-finding sessions, it leaves little opportunity for us to get the facts about labor disputes.

Congress is divided on what should be done and, therefore, what it should do. The fight on the House floor over strike-prevention legislation probably will be a hard and bitter one. Its outcome will be highly important to the immediate future of the Nation.

Care must be taken in shaping labor legislation, because you cannot make a man work in a democracy. I believe it is the duty of Congress to set up guide posts and do everything possible to create better relations between labor and management. Victory or defeat in the postwar period will depend upon the cooperation

of labor and management. What we need in America is teamwork. If we use our heritage and experience in teamwork we can build an economy and a standard of living the like of which the world has never known. We need emphasis on good management and persuasion rather than regimentation and compulsion. There must be mutual confidence and understanding between capital and labor. This cannot be brought about by harsh heavy-handed unenforceable mandates such as compulsory cooling-off periods and the like.

At this point I would like to quote from Abraham Lincoln:

All that serves labor serves the Nation. All that harms labor is treason to America. No line can be drawn between these two. If any man tells you he loves America yet hates labor, he is a liar. If any man tells you he trusts America yet fears labor, he is a fool. There is no America without labor.

Property is the fruit of labor; property is desirable; is a positive good in the world. That some should become rich shows that others may become rich, and hence is just encouragement to industry and enterprise—let not him who is houseless pull down the house of another, but let him labor diligently to build one for himself, thus by example assuring that his own shall be safe from violence—I take it that it is best for all to leave each man free to acquire property as fast as he can. Some will get wealthy. I don't believe in a law to prevent a man from getting rich; it would do more harm than good.

Mr. Chairman, the right of labor to organize and bargain collectively with employers is one of the cornerstones of competitive enterprise. The process of such bargaining must be protected and strengthened if we are to have real jobs and prosperity for all. Almost everyone agrees in collective bargaining. However, it means nothing unless it is accompanied with the right to strike at the expiration of a contract. But on the other hand, workers and management must not violate collective bargaining agreements.

Much is being said and much thought is properly being given to the question of legislation which would have as its aim the prevention of wildcat strikes or the breaking of contracts arrived at by collective bargaining.

After most careful deliberation I am fearful that most of the proposed legislation on this subject is impracticable and that there is no certain legislative panacea that can cure this particular difficulty. Right here I might add that I have been misquoted. But there are certain phases of said proposed legislation that might be helpful to this end. For instance, I think the proper committees of Congress can work out legislation, the details of which I need not attempt to discuss here, whereby certain privileges now enjoyed by laboring men through the generosity of the Federal Government might be withdrawn in the event they violate their collective bargaining agreements—for instance, certain welfare benefits.

There is one thing certain, and I think there is unanimity of opinion forming on the question, that it is wholly impracticable to make a compulsory so-called cooling-off period. You could not enforce it. You never did it under the

Smith-Connally bill in time of war. How can you expect to do so in time of peace?

Much good argument has been presented to the effect that there ought to be a joint responsibility between the employer and the employee when the contract is violated by either party. It has been suggested that the labor organizations be required to give bond and be responsible for damages resulting from the breach of such contracts. I am of the opinion that if such a law could be enforced it would be the most effective way to break up labor unions that has ever been suggested. In the first place, there are not many labor unions with sufficient funds or assets to cover damages caused by wild-cat strikes; and in the second place, if a bond was required the cost of such would be prohibitive.

And right here I might digress from the general theme I have been discussing to the specific question of contract violations as affecting the United Mine Workers of America. It is a proud but true boast that the national organization of the United Mine Workers of America, which enters into contract with the national operators' organizations involving the employment of more than half a million men, have never in all their history violated a contract so entered into. It may also be said as a general proposition that the same is true of the mine operator. There is no bond for the fulfillment of the contract necessary by either the miner or the operator. Both, as national organizations, are financially responsible, and, moreover, as said before, they do not breach their contracts. When a wild-cat or unauthorized strike occurs—and they have occurred—they are frowned upon by the national organization and the recalcitrant union members promptly brought to terms.

If the national organization was by enforceable law made responsible for damage resulting from a wild-cat strike it would obviously be unfair to the hundreds of thousands of loyal members of the organization who were obeying their contract to have their national funds dissipated in such manner. If it is suggested that each local of the United Mine Workers of America give a bond or be liable for damages, the impracticability of such a suggestion is at once apparent for reasons which I have before stated.

Labor generally would do well to emulate the example of the individual members of the United Mine Workers of America who throughout the years have always urged more production and have never collectively inveighed against improved machinery and methods as have some labor organizations. This fact alone has resulted in the almost unbelievable situation that today one American coal miner mines six tons of coal while one English miner, with his old methods, his wheelbarrow and basket carrying facilities, mines 1,900 pounds of coal.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. BAILEY. Is the gentleman advised that during the war America modernized the British coal mines by the in-

stallation of electrical and mining equipment and loading equipment?

Mr. LANDIS. If they needed the coal, they should have had new machinery.

Mr. BAILEY. They did that, so there is nothing to be gained by any comparison of coal mining in England and in this country.

Mr. KELLEY of Pennsylvania. If the gentleman will yield. I think the gentleman is referring to a statement by Mr. John L. Lewis about the amounts of tonnage produced in this country as against the amount produced in England; 6 tons produced in the United States as against 1 ton in England.

Mr. LANDIS. And also, our mining organization did not fight the improvements of machinery.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. BRADLEY of Pennsylvania. On that basis it is probable that the wages of the miners in this country with respect to their production is less than the wages of miners in Great Britain.

Mr. LANDIS. Well, the point to be brought out is that in accepting improved machinery they should receive more wages.

Mr. BRADLEY of Pennsylvania. But, actually, they receive less money per ton or per pound than they receive in England.

Mr. LANDIS. Not only has the American mineworker been an outspoken proponent of increased production both during war and peace time but he has demonstrated his ability to carry out this theory. This attitude and the results therefrom, I think, may truthfully be said to spring largely from the fact that he voluntarily enters into a collective bargaining agreement and has not been compelled to do so and feels that he should live up to the spirit of that agreement.

So again I say, a proposal to make labor unions liable for wildcat strikes in violation of a contract and to require them to furnish bond for such liability, no matter how well-intentioned, is a stab directly at the heart of unionism and is not advocated, I have discovered, by those who have thought deeply on the question and who are vitally concerned with solving this most distressing problem.

It seems clear to me, in the light of all the circumstances and the happenings of the last several years, that no well-intentioned person should want to destroy the labor unions. There are many of us who want to get rid of some of the abuses on both sides of the labor question, but if you are to have collective bargaining—and there is great unanimity throughout this Nation in the belief that the eventual solution of labor difficulties will come through the agency of collective bargaining and improvements upon the laws relating thereto—the only known source of authority for collective bargaining is through the employer and the united employees.

At this point I also want to congratulate the United Mine Workers organization for having a fining clause in their contract which provides a fine of \$2 per day for the first and second day and \$1 for each additional day out on strike

during the violation of their collective bargaining agreement. Another good proviso in their contract with management, in regard to minor disputes, is that the mine must be in operation before a dispute is discussed before the miners and operators' grievance committees. Since these two sections have been adopted the miners have come a long way toward better relations between labor and management. I also understand the American garment workers have placed a fining clause in their new contract. It might be the opportune time for other industries to give the necessary wage increases in return for a fining clause in their contracts.

The Smith-Connally Act should be repealed. It should never have been enacted, although those who voted for it no doubt, deeming it a war measure, felt compelled to take some action at that time. But this character of legislation emphasizes the fact that it is wholly impracticable and impossible by legislative mandate, such as has been proposed, to make a man work under our republican form of government.

The Smith-Connally Act, like other war legislation, was hastily conceived and enacted. It never, even in part, fulfilled the praiseworthy purposes for which it was intended. I place the President's proposed labor reform legislation in the same category as the Smith-Connally Act. Someone has styled it and his message to Congress relating thereto, as the second Missouri Compromise. Some of its proposals and its features may be praiseworthy; other phases of it are so impracticable and unenforceable and contrary to the spirit of the American citizenship and American rights as to damn the whole suggestion.

I am opposed to the heavy hand of the Federal Government, when it steps into the breach, requiring that a collective-bargaining agreement shall be based upon the employer's ability to pay. Obviously some employers are better able to pay a high wage scale than others. Would you put a premium upon lack of thrift? Would you stifle initiative and business ingenuity, which in large part has made this Republic the wonder of the world? Is it fair that one manufacturer be required to pay a high wage scale and another a low one when they are in direct competition with each other? Is it conceivable that this is to be regarded as a sound economic policy?

Other phases of it are so impracticable and unenforceable, and contrary to the spirit of American citizenship and American rights, as to damn the whole suggestion. I am opposed to the heavy hand of the Federal Government when it steps into the breach requiring that collective-bargaining agreements shall be based upon the employer's ability to pay. Obviously, some employers are better able to pay a high wage scale than others. Would you put a premium on lack of thrift? Would you stifle initiative and business initiative which in large part has made this Republic the wonder of the world? Is it fair to require that one manufacturer be required to pay high wage scales and another a low one when they are in direct competition with each

other? Is it conceivable that this is to be regarded as a sound economic policy?

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. As I understand, both labor and management are against such a provision.

Mr. LANDIS. That is true.

Mr. ROBSION of Kentucky. If that policy should be followed would you not have just as many different wage scales as you have industries throughout the United States?

Mr. LANDIS. There is no question about that.

Mr. ROBSION of Kentucky. On the policy of ability to pay.

Mr. LANDIS. There is no question about that.

Mr. ROBSION of Kentucky. And, as the gentleman points out, it would place a premium on inefficient management and penalize efficient, active, experienced management, would it not?

Mr. LANDIS. The gentleman from Kentucky is correct. Moreover, the whole theory of a labor-dispute, fact-finding agency is too New Dealish for me.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield for another question?

Mr. LANDIS. I yield.

Mr. ROBSION of Kentucky. In the year 1919 we had a similar period of disturbance and confusion throughout the country when it was proposed to turn the railroads back to their owners. Many business people and others throughout the country said it would not do unless we put an antistrike provision in the law; that if we did not do that the railroad men would strike all over the country. Under the high pressure of that time, the Senate passed a law returning the railroads to their owners with an antistrike provision in the law, fixing a very severe penalty for any two or more persons who should unite and agree to quit work.

The bill came over to the House of Representatives. The House of Representatives refused to be stampeded into that proposal, and finally out of it all the Anderson amendment was offered to that bill that passed the Senate, and that was the beginning of this Mediation and Conciliation Act for the railroad workers of the country. I was against the antistrike provision being put in the law, and I had occasion at that time to say that I did not believe the time would come in this country as long as we were a free country that you could dig coal, operate the factories, or run railroads successfully at the point of a bayonet. What does the gentleman think about that?

Mr. LANDIS. There is no question but what the gentleman from Kentucky is right. After the First World War the Government undertook to run the coal mines, and it cost about \$200 per ton for the coal mined.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. EDWIN ARTHUR HALL. I wish to point out the fact that we have some reason to be optimistic in the workings

of our American system, for within the past few days a great deal of progress has been made in the settlement of various labor disputes throughout the country, and the next few days hold promise of more and more peaceful settlements to come between labor and management.

Mr. LANDIS. I believe that is true.

Mr. ROBSION of Kentucky. One other question, if the gentleman will permit.

Mr. LANDIS. I should like to proceed, but I will yield if the gentleman will be brief.

Mr. ROBSION of Kentucky. I assume the gentleman favors the strengthening of the conciliation and mediation principle.

Mr. LANDIS. There is no question about that.

Mr. ROBSION of Kentucky. And we may be today inaugurating for business generally a policy that was adopted more than twenty-odd years ago as to the railroads.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LANDIS. Mr. Chairman, I yield myself an additional 10 minutes.

Mr. Chairman, the whole theory of a labor dispute fact-finding agency is too New Dealish for me. It smacks of bureaucracy in the worst form. If the agency worked perfectly in accordance with the proposed law it nevertheless would be bad—bad in principle and bad in ultimate economic results. But when you take into the equation the fact that no such bureaucratic agency is liable to be free from outside and inside dangerous influences, from prejudices, preconceived notions, and burdened with such inefficiencies as usually characterize such agencies, it makes it impracticable that the American people at this time embark on any such visionary and hare-brained venture.

Aside from the ordinary objectionable features of most hastily created bureaus, the country is and should properly be alarmed at the insidious influence in those bureaus of a communistic tendency, and I for one refuse to be lead by these star-gazing, starry-eyed bureaucrats into the pink pits of communism.

Federal decision must not be substituted for free agreement, but Federal machinery to promote peaceful settlement of disputes should be improved. I am certain fact-finding alone is not the answer to our difficulties. I believe we also need a Federal mediation board to consider disputes which are not settled by collective bargaining. This Board should include labor, management, and the public—all equally represented.

When labor and management do not get together through collective bargaining, it should be turned over to the Mediation Board, and the Mediation Board should be able to promptly induce management and labor to compromise.

If mediation should fail, then the Board should be authorized to recommend that the dispute be submitted to an arbitration commission. To make this plan operative and effective both labor and management would have to agree to it. If either labor or management balked, Government could not

force acceptance of a recommendation or a decision of the arbitration commission. We may reliably depend, I think, upon arbitration voluntarily entered into by the parties in a spirit of fairness which in so many instances now is shown in labor controversies. At least this is the best hope of the hour.

Mediation and voluntary arbitration will not always prevent strikes, but I believe it is a step in the right direction in solving most of our labor-management strife. Both labor and management should willingly accept this method, and if left alone by a meddling Government who ought to know they cannot successfully bludgeon their way through this problem, I think voluntary arbitration and mediation will in most instances solve the problem.

Both industry and labor have responsibilities. Industry must win the confidence of its working organization. It can win this confidence when it stands for those things which make for better homes, better educational facilities, better health, and all that goes to make up a healthful and contented community life. Every industry should have a plan that provides a proper contact between management and the workers. This will give the rank and file of labor an understanding of the problems of business as they relate to financing, producing, and marketing. It will also give business first-hand information about the problem of labor. Workers also have responsibilities. Too many workers consider a union as merely a grievance committee to secure all the wages it can squeeze out of the employer. A union must be a constructive organization designed to promote the mutual best interests of the employer and employees. Those unions that have adopted a policy to help management to improve production and reduce costs are to be commended. American labor is smart enough to know it must produce the products, goods, and services upon which profits and taxes must be had and levied to pay the cost of social security.

America is the hope of the world. We have just begun to climb the ladder. Private industry must organize and cooperate in a manner which will make unnecessary another WPA. Only through the processes of private enterprise will the American people enjoy a higher standard of living.

I should like to make one point clear, and that is that we have three problems before Congress. One is to try to prevent a breach of contract after collective bargaining is agreed to, and I think the only effective way to do that is for the union to put a fining clause in their contracts with management. If that is not done, then about the only thing that Congress can do would be to amend the Social Security Act and take the welfare benefits away from those labor unions and individuals who break their contracts. Another problem is for stronger conciliation, mediation, and voluntary arbitration. That question is not incorporated in this bill. We should have better mediation, conciliation, and voluntary arbitration.

The third point is that business complains that they do not have the same rights that unions have under the Wagner Act. Then we should bring the Wagner Act before the right committee and iron out the difficulties.

Mr. BARRETT of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Wyoming.

Mr. BARRETT of Wyoming. I want to commend the gentleman on the splendid presentation he has made, and I want to make this observation. Assume that the United Mine Workers of America have a record wherein they have never broken a contract that they have entered into, and that they also have in their contract a provision for fines in case of any violation of contract. Does the gentleman believe that it would be good policy for the Congress to step in and say to that industry and to that union, "Now, you have made an agreement. You have a record of keeping your agreement. You have provided for penalties, but we do not like that arrangement. We are going to provide a different penalty." Is that sound policy in the gentleman's opinion?

Mr. LANDIS. It is a question of what constitutes sound policy. What should Congress do to make a sound policy? You could not put 750,000 steelworkers in jail for being out on strike.

Mr. BARRETT of Wyoming. That is not quite the question that I had in mind.

Mr. LANDIS. The gentleman wants a penalty for breach of contract, as I understand.

Mr. BARRETT of Wyoming. Yes. As I understand, the United Mine Workers and the coal operators have provided a penalty in their own agreements.

Mr. LANDIS. That is right.

Mr. BARRETT of Wyoming. Now then, they are the ones who are primarily concerned. Of course, the public is concerned also. But they have already worked out their particular problems. Does the gentleman think it is good policy for Congress to come in and say, "Well, we do not like that arrangement. We are going to provide a different penalty?"

Mr. LANDIS. The trouble is that the railroad workers and the miners have gone through these strike periods for many years, and they have made some gains in a better relationship between management and labor. Some other organizations are going through a period now, that the miners and the railroad men went through years ago. About the only thing that we could do in Congress would be to say, "Here, we want to take care of a breach of contract or wildcat strike." A wildcat strike is a breach of a collective-bargaining agreement, and about the only thing that we can do is to take away workers' welfare rights, say, for a period of a year. If workers were out on a wildcat strike in any period during the year and for the entire year, they would lose their welfare rights, such as compensation benefits.

Mr. BARRETT of Wyoming. Here is an organization that has entered into an agreement and has a record of keeping its agreement. In the agreement it has

provided for a penalty. Inasmuch as that procedure and policy has worked out so successfully, it seems to me it would be unwise for the Congress to disturb that arrangement.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LANDIS. Mr. Chairman, I yield myself ten additional minutes.

The Garment Workers of America in their new contract emphasize that fact. They have included that in their new contract. I understand that in connection with the Ford contract they asked for it. I do not know whether or not it is present in the new Ford contract. They have asked for it also in the General Motors contract. If they will all put that clause in their contracts, there would be no need of legislation to solve this problem.

Mr. BARRETT of Wyoming. Should we not encourage that policy?

Mr. LANDIS. There is no question about that.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from California.

Mr. JOHNSON of California. Pursuing further the question propounded by the gentleman from Wyoming, is it the gentleman's idea that in cases where they do not include it in their contract we should pass a law stating that where they breach a no-strike clause the company could sue the union and its officers and members?

Mr. LANDIS. I am against such a provision.

Mr. JOHNSON of California. Would not that in effect open the door for companies to start suing and breaking up the unions?

Mr. LANDIS. There is no question about that. The result of it would be to break the unions.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I should be very much interested in having the gentleman's recommendation as to what steps we should take in order to make both sides to the contract responsible. If a wildcat strike develops and the plant closes down, what is the remedy?

Mr. LANDIS. About the only remedy we can apply through legislation is to take away their welfare rights, their compensation.

Mr. CRAWFORD. That is what I want to bring out. This Congress simply writes a law which says to the worker, "You can assess your own fine or you can behave yourself and have no fine." As I view it, we do not take anything away from him. He imposes his own execution.

Mr. LANDIS. That is correct. An amendment to the Social Security Act would deny welfare benefits to wildcat strikers. Back in 1919 in the coal fields, trip riders, and other single men, would come to work, and one of them would jump on a stump and say, "Let us throw out our water and go home." Then the married men working at that mine

would have to go home because of this action. After they put the fining clause in their contract that eliminated most of the trouble. Now we may have to insert a clause to amend the Social Security Act—to take away their welfare benefits if they are out on a wildcat strike. We believe in collective bargaining and we believe in giving them the right to strike at the expiration of their contract, but on the other hand we want them to keep agreements. The question is, what are we going to do to make them keep their agreement? Are you going to fine them or put them in jail? Here is a mine out on strike with 500 men. There are 500,000 workmen employed, but here is one mine that does not want to work. If the 500 men out on wildcat strike lost their welfare benefits they would be more careful the next time.

Mr. CRAWFORD. What the gentleman means to say is, they by their act deprive themselves of their own benefits.

Mr. LANDIS. That is right.

Mr. CRAWFORD. Congress does not take anything away from them?

Mr. LANDIS. Correct.

Mr. CRAWFORD. You lay down a set of rules for playing the game?

Mr. LANDIS. That is right.

Mr. CRAWFORD. If so-and-so violates the rules, he enforces his own penalty on himself?

Mr. LANDIS. You are entirely right.

Mr. CRAWFORD. Therefore, I do not believe Congress takes anything away from him in approaching the proposition in that manner.

As I understand the gentleman, then, he does not recommend any kind of action which would place into the law the right of anyone to sue a union's purse, if you please, for monetary damages due to the breaking of a contract?

Mr. LANDIS. That is correct. You would break every union in the country, no question about that.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. CASE of South Dakota. I also want to compliment the gentleman from Indiana on his studious approach to this whole problem, evidently based upon long years of experience and of working with the problem. I was struck by what the gentleman has just proposed in the matter of providing penalties for violation of contracts. I think I might say that it is a logical approach to the problem to say that if labor itself violates its own contract it might forfeit rights to social-security benefits which the Government has conferred. As a matter of fact, I might say also that after working on this proposed substitute bill my first approach to the problem was with the thought of using that principle and preparing a bill which I thought might go to the Committee on Ways and Means, since that committee has jurisdiction of legislation dealing with social security. But the way the matter has progressed, it seems to me that since the Committee on Labor has reported a bill I should seek to incorporate in the substitute something that would clearly place jurisdiction within the Committee on Labor. Consequently, I adopted the device of the forfeiture of rights which Congress itself

has provided under the National Labor Relations Act. That is why the penalty clause, so-called, for violating the 30-day cooling-off period relates to the forfeiture of rights under the National Labor Relations Act. But there again the same thing would be true. It would not be a penalty which Congress inflicts or anything of that sort, but it would be a forfeiture of a benefit which the Government itself had provided. That is why I used that approach. I think the principle is the same as the gentleman from Indiana has espoused.

Mr. LANDIS. The idea presented might be the best method to prevent outlaw strikes. They will think twice before striking.

Mr. CASE of South Dakota. Yes. I thought in the case of certain strikes, in our dealing with labor problems, if they reach the point where we need to impose an individual punishment of some sort, that that might be true. Of course, I hope with the gentleman that what we can do by the legislation that grows out of this consideration is to so strengthen the processes of collective bargaining that mediation or possibly voluntary arbitration will solve the problem, and that we will not have to resort to anything that would in any sense abridge the right to strike.

Mr. LANDIS. That is correct. I think we need mediation and voluntary arbitration. I think those other two problems are very important and one may be worked out in the Social Security Act and the other worked out in the Wagner Act.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Iowa.

Mr. JENSEN. I compliment the gentleman on the very fine presentation he has made on this whole subject. However, I am a little bit concerned about his proposal to penalize employees who go out on wildcat strikes, for instance.

Mr. LANDIS. You are not really penalizing them.

Mr. JENSEN. If the gentleman will just permit me to state my question fully, I am thinking about the fellow who possibly is not in any sense responsible for the strike or who may be forced out of work because of the actions of some other people. Although this fellow may be entirely innocent in respect of what has taken place, do you still propose and do you still think that that man should be penalized to the extent of taking his social-security benefits away from him? The gentleman will admit, of course, that such a condition could arise?

Mr. LANDIS. Of course, we talk about taking it to courts and putting up a bond. It would be much better to take away the welfare rights. If a wildcat strike occurred when a plant was open for business those people who reported to work would not be considered strikers.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. LANDIS. Mr. Chairman, I yield myself five additional minutes.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. ROBSION of Kentucky. I think there are indications of improvement in the labor situation in the country. I think it was a splendid move when the United Mine Workers returned to the American Federation of Labor. Mr. Green and Mr. Lewis are connected with that. While we have about 1,750,000 men out on strike, I understand that only about 40,000 A. F. of L. men have been on strike since this trouble came up. The United Mine Workers have not been on strike. I believe that these influences are going to be very helpful in the solution of this problem. I wish to commend the gentleman for his suggestion about strengthening our mediation, conciliation, and arbitration laws. We are more or less circumscribed in what can be done. In the first place, the Constitution and the Supreme Court gives working people the right to strike. You cannot get around it.

Second. The Supreme Court and the law of the land—I do not mean the recent Supreme Court, but back in the time of Chief Justice Taft—held that workmen had the right, under the Constitution, to organize, and it was essential to their protection that they have that right, because a single individual could not deal with organized brains and organized capital. There had to be organized brain and organized brawn to deal with each other. I hope that in this period of time we will not go off emotionally, but will approach this subject from every angle and take this bill and work out something that will help the country without regard to the political effect it will have on either party or on any Member of Congress, and look alone to the general welfare of the country, and, above all, preserve free private enterprise and free collective bargaining. You cannot have a free country, you cannot have free workers unless you have a free private enterprise, with the right to bargain collectively. Whenever we undertake to circumscribe that, then we are going to get into trouble in this country, and it will not be solved.

Mr. LANDIS. I thank the gentleman for his contribution.

Mr. GEELAN. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. GEELAN. I also wish to congratulate the gentleman from Indiana on his very fine presentation. There is a question in my mind here, however, as to how well thought out this entire subject matter is. Several of the statements made by the gentleman seem to confirm that. I would like to ask the gentleman, therefore, in what respect strikers could be deprived of receiving certain benefits under Social Security, that the Congress of the United States could deprive them of?

Mr. LANDIS. Of course, in some strikes, certain States deprive workers of their right to benefits while they are on strike. However, we could amend the social-security law. I would rather have it handled by a fining clause between management and the unions. There is no question but what that is the solution. If Ford and General Motors and the steel company would put that clause into a

contract, they would be better off. But you can amend the Social Security Act and deny benefits to persons out on wild cat strikes.

Mr. GEELAN. But does not the gentleman remember that only the other day he voted against a bill which the proponents of the bill for which he voted contended that the opponents of the bill were in favor of federalization of unemployment compensation acts?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LANDIS. I voted against that bill.

Mr. GEELAN. The gentleman voted to return the employment offices to the States.

Mr. LANDIS. Certainly I did. I did it for the reason that the States can do a better job of putting these men to work.

Mr. GEELAN. The proponents of the bill that the gentleman voted for contended that the opponents of that bill wanted to federalize not only the Employment Service but unemployment compensation; yet now the gentleman is suggesting that we amend by Federal law the Unemployment Compensation Act or the Social Security Act so that those States, in the few instances where they do, which pay strikers' benefits shall be prevented from doing so. As I understand, there are only five States so paying. All this brings me up to the point, the point I was going to make. We suggested that much more study be given this, that the entire field be gone into, and let us come up with a real, honest solution to this problem. If we did that, and if the gentleman had gone along with us, we would not have this mess on the floor here.

Mr. LANDIS. But the President of the United States and the people want some legislation on mediation and voluntary arbitration.

Mr. GEELAN. We have a way of getting legislation, but this is not the way to get it.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I want to make two more observations before I yield. I want to comment on willful violence and destruction of property. We have State laws that should take care of these problems. That should be up to the States. If the States are not taking care of those situations, it is up to the governors of the States to intervene.

Then we also have this foremen's section in the bill. We talk about not allowing foremen the right of collective bargaining. It is a difficult question to know where to draw the line. The conductor, engineer, and fireman are called supervisors; they run the train. Are they going to be denied the privilege of collective bargaining? It involves a pretty careful study to see where we should draw the line in the matter of foremen and supervisors.

Mr. BIEMILLER. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. Briefly.

Mr. BIEMILLER. First I wish to make a comment and then raise a question.

The gentleman from Connecticut has spoken of unemployment compensation laws and strike benefits. That matter has been raised on the floor several times

and I believe the facts ought to be brought out. There are five States in the Union that do permit payment of unemployment compensation to strikers.

Mr. LANDIS. That may be true.

Mr. BIEMILLER. But in each of those instances there is a longer waiting period than there is for an ordinary unemployed person. Furthermore, the striker must agree to take a comparable job if it is offered to him before he can collect his unemployment compensation.

Mr. LANDIS. That may be true.

Mr. BIEMILLER. On the point the gentleman has been making, I have been very much interested in hearing what the gentleman had to say in the matter of foremen and the necessity for a long carefully thought-out study of the problem. In view of the gentleman's attitude I cannot understand why the gentleman from Indiana was part of the vote that permitted this situation to get on the floor where we obviously cannot give this matter due and careful consideration.

Mr. LANDIS. The American people want this question discussed and debated in Congress. It is my duty as a member of the Labor Committee to get this bill out here for discussion.

Mr. ROBSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Kentucky.

Mr. ROBSON of Kentucky. On the matter of drawing the line and putting in the class of supervisory employees those who have anything to do with calculating the amount of pay a worker should get, that would include the check weighmen in mines, yet he is a union member and is elected by the union miners themselves to see that they get their just and proper wages. This would deprive them of putting that sort of men in that kind of position.

Mr. LANDIS. The gentleman is correct. He is exactly right.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I want to call attention to the fact that the gentleman is absolutely right in getting the bill before us in this way, because it gives us an opportunity to take up the various matters.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. LANDIS. Mr. Chairman, I yield myself three additional minutes.

Mr. CASE of South Dakota. Section 12, which deals with supervisory employees, can be changed, if the House wishes to do so, when the time comes for that. With respect to the illustration which the gentleman from Indiana used about conductors, firemen, and so forth, those are exempted from section 12.

Mr. LANDIS. The point I was trying to make is that we have people in other industries who have relative positions as conductors, brakemen, and firemen.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I want to compliment the gentleman for his statement. When they start to attack him about a vote that he cast a week ago and the result of his speech, they are going pretty far afield.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Pennsylvania.

Mr. GREEN. I just want to ask the gentleman one question. When we had the vote in the Labor Committee, did the gentleman have any knowledge that this other bill was going to be presented?

Mr. LANDIS. Of course, past history of the House since I have been here shows that we always have had opportunities for labor amendments to labor bills. I think the Members are entitled to bring those amendments in. It has been done before. I agree if there are too many, or if bad amendments are added to the bill, it may pass the House but it probably will die in the Senate like some of the rest of them have; however, I do want to say that we must have the opportunity to discuss and debate this legislation. We can add to or reject the amendments.

Mr. GREEN. It has been stated to me that is the policy of the Republican Party toward labor as the bill presented by the gentleman from South Dakota [Mr. CASE] provides.

Mr. LANDIS. I do not agree. Perhaps some Republicans are for it. There will probably be some Democrats for it, too. Do not say it is the policy of the Republican Party.

Mr. CASE of South Dakota. In view of the question just asked and the questions asked me, will not the gentleman state that he and I participated in a panel on the radio some weeks ago and at that time I did tell him I was working on some labor legislation, that I had a bill in mind I might toss in in the meantime, although we did not have opportunity at that time to discuss the details?

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from New York.

Mr. MARCANTONIO. I think this House is entitled to a forthright explanation as to who wrote the Case bill?

Mr. LANDIS. I do not think that is an issue here.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. BALDWIN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, in the limited time at my disposal I will not have an opportunity to express my own views on this subject except in a very limited manner; furthermore, due to a change in the program of the House, it now appears I shall not be here when the vote is cast on this bill. I do want to put myself on record for the benefit of the people in my district, the farm people, the business people, and unorganized as well as organized labor.

First, I voted for this rule so that we could bring these bills up and discuss them.

Secondly, if I were here and had the opportunity I would vote for the Case bill.

Third, I am in no way sympathetic with the bill reported by the Committee on Labor. I think it is extremely inadequate. Why that committee brought this kind of a bill out at this particular time is beyond my comprehension. So I think the record now will show my position on the two measures before the House at this particular moment. Such amendments as may be offered Monday I shall not have the opportunity to vote on because I will be in my district discussing scene of these matters with some of the people I represent.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. No; I do not yield. I only have 5 minutes, and I will not be able to participate in this debate after today, and I do want to get a few things in the RECORD.

Mr. Chairman, out of about 52,000,000 payrollees in this country we have some 14,000,000 claiming to operate under collective-bargaining agreements. Let us assume that those 14,000,000 represent $3\frac{1}{2}$ in each family. Then take the other thirty-six or thirty-eight million and multiply that by $3\frac{1}{2}$, and you will find that approximately 90,000,000 people in this country out of a total of 140,000,000 are not within the embrace of the laws that have been enacted by the Congresses of the United States since 1884, primarily in the interest of organized labor. I have no fear whatsoever of being in the right spot when I am with laboring people. About 90 percent of all the people I ever met were laborers. In every community where I have resided most of my friends and neighbors have been laborers. All of my family have toiled and performed stoop labor all their lives, and I am not a stranger to stoop labor, even as a Member of this House. I reside on a 260-acre farm, and if you do not believe I can perform stoop labor, you can come out some week end and I will take you through a 24-hour stretch and show you exactly what stoop labor is. So with about 90 percent of our people performing labor in this country, whatever is right for those people, I am for. But what I cannot understand, when I go back and review the record in 1932—I think it was March 8—with this House controlled by the Democratic Party at that time, is just why organized labor was exempted from the Antitrust Act in respect to restraints of trade. I take the position that no organized minority monopoly, whether made up of businessmen or factory owners or shop owners or labor unions, has any legal or moral or social right to stop the flow of commerce between the people of the United States as has occurred in recent weeks and months.

As long as we have labor divided as it is at the present time I shall not support as a Member of this House or as a private citizen a proposal which enables a labor leader to stop the flow of social income, to prevent the production of goods, and to ship those goods in interstate commerce. The welfare of the organized worker, as well as the unorganized worker, economically speaking, lies only

in the free play of competitive forces. There is no conflict between the Federal Government exercising its powers to protect the rights of an unorganized worker as well the rights of an organized worker. The Pace bill in my opinion undoes some of the work performed by the Congress in March 1932 when it approved the Norris-LaGuardia Act, and therefore I am in favor of that particular provision of the Case bill. I do not think the Case bill goes far enough. I do not believe we will ever arrive at a satisfactory solution of those propositions for the organized worker or the unorganized worker until we materially alter the provisions of the National Labor Relations Act. I do not think that act protects the organized worker as an individual from the depredations on his rights by the union itself. In other words, I do not believe the National Labor Relations Act is a democratic law by any means.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LANDIS. Mr. Chairman, I yield five additional minutes to the gentleman from Michigan.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I appreciate the study the gentleman has given to this matter. If he will recall, one Sunday afternoon I visited him at his home a few miles out in the country here, and we discussed these problems. The gentleman will realize that in trying to accomplish legislation at this time the thing one must try to do is to bring together what agreement may be reached upon. While I respect the gentleman's views, I felt that to include in the bill some of the objectives the gentleman has in mind would precipitate more controversy.

Mr. CRAWFORD. It would make it impossible to get anything considered. In no way am I criticizing the idea of bringing the Case bill here as it is. I am simply putting myself on record to say that I would go further than the Case bill goes along that line. In no way do I advocate the destruction of the collective-bargaining principle, but at all times I must advocate that there be something in the machinery which imposes direct responsibility on the union as it signs a contract. How in the world can we expect shop owners and management, representing ownership, ever to get anywhere unless they have some foundation upon which to rest with respect to operating for at least a 12-month period, to say nothing about a long-term commitment?

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Michigan.

Mr. HOOK. Will the gentleman inform me of one major labor organization that has violated its contract even though there are 15,000 contracts, according to the Bureau of Labor Statistics?

Mr. CRAWFORD. The gentleman knows as well as I do that he can go to the records of these cases which have been handled and ascertain the exact

facts. I shall not try to gum up the record by making some guesses or wild statements.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I would be glad to submit for the record figures showing that during the period of the existing steel contract there have been 900 and some short strikes in violation of the contract. In the automotive industry in the last 3 months prior to the strikes there were 147 strikes of short duration.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from New York.

Mr. MARCANTONIO. I also hope that the gentleman from Virginia [Mr. SMITH] will put in the record the number of violations of labor-management agreements that have been made by management.

Mr. CRAWFORD. May I say to the gentleman from New York that I am just as opposed to management's failing to carry out its obligations as I am opposed to a union's failing to carry out its obligations. This country is based on faith and credit. If there is any phase of our life which teaches a man to meet his obligations it is in the business field. Any man who has operated a business and who has a thimbleful of brains knows that the best basis on which he can proceed is always to meet his obligations, verbal and written. If he does not do that, he is not a credit to the community.

Mr. SMITH of Virginia. To clarify the question raised by the gentleman from New York as to how many times industry has violated these contracts, you will find in all of those contracts, which are very elaborate, procedure laid down as to how differences of opinion shall be straightened out. Both sides are required by the contract itself to resort to that procedure. If the company fails to do so, every dollar of its assets is liable under that breach of contract.

Mr. CRAWFORD. The assets of the company or the assets of the people who have saved, who have denied themselves, and invested in buildings and machinery and machine tools so that people can be employed and produce goods, as the gentleman from Virginia has said, are subject to capture through legal processes if the management fails to carry out its obligations under the contract. But little shop A or little shop B can be harassed by a breaking of the contract through a wildcat strike or otherwise and eventually thrown into bankruptcy, and the firm for which the employees are working has no recourse and no way of saving its economic hide in remaining a solvent company so that employment can be given to people.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. BALDWIN of New York. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman and fellow Members of the House, there are several points which have been taken up here this afternoon

in the running debate that we have had which I think need clarification. In the first place, the gentleman from Michigan asked why the Committee on Labor brought out a meaningless bill. I know for one why some of us voted for the bill which was brought out. That was because we were convinced that the American people and this House wanted to have a debate on this subject. It was agreed then in the committee by even those of us who voted for bringing that bill out, that we might oppose it. I do oppose it and I oppose any legislation at this time because I am fearful that we will repeat the sad experience that we had in the past when we tried to pass legislation which was not well considered.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I am delighted to yield to the gentleman.

Mr. MARCANTONIO. The gentleman evidently refers to the Smith-Connally Act.

Mr. BALDWIN of New York. I definitely refer to the Smith-Connally Act which, in my opinion, fellow Members and Mr. Chairman, caused most of the strikes which occurred which were recently mentioned on the floor of this House.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I am delighted to yield to the gentleman from Pennsylvania.

Mr. KELLEY of Pennsylvania. The only benefit the American public got under the Smith-Connally Act was the expenditures of money to carry out these strike elections for which the taxpayers have to pay millions of dollars.

Mr. BALDWIN of New York. It is not only that—but, of course, I do not intend to debate the Smith-Connally Act. I do want to reemphasize my fear that we will repeat our experiences under that act. I have consulted with management and I have consulted with labor. I have taken the trouble to go out to the Middle West and consult with some of our important concerns. I went up to New York yesterday and consulted with some more of them. None of them want any legislation at this time because they are fearful, as I am, that in the long run the public will not be protected. They believe as I do in the capitalistic system and free enterprise. Furthermore, they do not want any first steps taken which will involve the Government in running what should be free enterprise.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I am delighted to yield to the gentleman.

Mr. CELLER. I presume also that the gentleman deprecates the action of the Committee on Rules in bringing in this Case bill as a substitute for the Norton bill.

Mr. BALDWIN of New York. I shall come to that in a few minutes.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. JOHNSON of California. May I point out that Mr. Tracy, the Assistant Secretary of Labor, who testified before our committee, was very emphatic that

we should not repeal the Smith-Connally bill, insofar as the provisions were put in that law to take over industry in case of strikes. I asked him specifically, "Are you thinking about public utilities?" He said, "Yes; I am; and we want this law to stay on the books, so far as those provisions are concerned."

Mr. BALDWIN of New York. Mr. Chairman, I, for one—and I think my record on the Smith-Connally bill is well known—would like to see it repealed without any amendment.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. CUNNINGHAM. If it is true that the Smith-Connally bill is the cause of the strikes we now have, will the gentleman tell me why labor publications call it the antistrike bill?

Mr. BALDWIN of New York. Mr. Chairman, I cannot answer for labor publications, inasmuch as, one, I rarely read them, and, two, I certainly do not write them. But I can say this: That the provisions of the Smith-Connally bill legalize strikes because they legalize Government procedure and provide machinery whereby the taxpayers pay for these strikes, as was pointed out.

Mr. CUNNINGHAM. I understand that.

Mr. BALDWIN of New York. By taking away from the conservative and reasonable labor leaders all control of the rank and file of the union membership, irresponsible union members would come along and would start those wildcat strikes. They would do it and could do it because of the Smith-Connally Act.

Mr. CUNNINGHAM. I agree with the gentleman.

Mr. BALDWIN of New York. And the answer is that if anyone wants to repeal the act now, someone always wants to offer some choice amendments which ultimately defeat repeal.

Mr. CUNNINGHAM. I agree with the gentleman, but he still has not answered my question why labor calls it the antistrike bill.

Mr. BALDWIN of New York. I cannot speak for labor. I can only speak for my constituents.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I am glad to yield to the gentleman.

Mr. MARCANTONIO. We have the same situation today in respect to this legislation, the so-called Case bill. As the gentleman recalls, when we had the Smith-Connally bill before us there was a great furor and great speeches were made, but now we find that the Smith-Connally bill is the most universally repudiated legislation—so much so that the author of that bill, the gentleman from Virginia [Mr. SMITH] himself has introduced a resolution to repeal the Smith-Connally Act.

Mr. BALDWIN of New York. I understood I had pointed that out, Mr. Chairman. I feel very emphatically we are faced with the same situation today. In the first place, I cannot understand how Members of this House could be presumed to act on legislation brought in here with no committee consideration whatsoever.

I do not think it is fair to the membership of this House. I certainly do not think it is fair to the members of my own party in this House, to ask us to act intelligently on legislation which most of us had to read in the newspapers before we could get copies of it.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. JENNINGS. Have not all the different features of this measure now before the House been constantly before the people of this country and Members of this House for the past 12 months? Just how long do you think is the period of gestation when an idea could develop and be ready to be delivered in the brain of the average Congressman?

Mr. BALDWIN. Well, I cannot vouch for anybody else, but it would take me a long time to gestate some of the measures in this bill, and I do not think I could ever digest them or swallow them. I certainly believe that orderly procedure in a legislative body demands that a committee consider a bill as important as this and hold hearings on it. I read it in the newspapers, and I reread it twice, and I could not argue all the points in it. I am not definitely sure in my own mind where the mediation board begins and ends. I am not sure whether they can tell management just what they will charge to the public, because this is the only way they can pay this or that wage. It is the same question with the fact-finding board. I believe in the long run the public, which is aroused on this problem, will be best served by a continuance of free enterprise. Let capital and labor work out their own problems without Government interference. It is my own personal opinion that many of the laws we have on our statute books now, particularly involving capital, should be repealed, and that our free enterprise system would get along better if they were.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield in order that I may answer his implied question about the powers of the mediation board?

Mr. BALDWIN of New York. I would be glad to hear it.

Mr. CASE of South Dakota. The mediation board would have absolutely no power to come in and tell management what it should do. It is a mediation board and not an arbitration board.

Mr. BALDWIN of New York. Can the gentleman, then, enlighten me further by saying when does a case come before the mediation board? Where is the line drawn?

Mr. CASE of South Dakota. A case would come before the mediation board on the petition of either party to the industrial dispute. If they arrived at a position where they could no longer proceed with their collective bargaining, and are about to break off, and either side called a lock-out or a strike, they would be required in the public interest 5 days before they do that, to tell the mediation board.

Mr. BALDWIN of New York. They are required to tell the mediation board, then?

Mr. CASE of South Dakota. They are required to tell the mediation board that

they propose to strike. Then, if the officers of the mediation board, named in the bill, the chairman, the vice chairman, and the secretary, who are the public members of the board, appointed by the President, by and with the advice and consent of the Senate, determine that there are sufficient public interests at stake in the industrial dispute, then the mediation board would take jurisdiction. But that jurisdiction would not extend to giving them authority to enter any order or anything of that sort, but they would come into the picture and attempt to continue the processes of collective bargaining.

Mr. BALDWIN of New York. As I read it, then, this bill is entirely anti-labor. They are allowed to do it with labor but not allowed to do it with capital?

We do it with capital too, with management.

But what I am getting at is that as I read this bill they have all kinds of mediation boards and procedures to stop labor from doing certain things, but they do not touch management at all.

Mr. CASE of South Dakota. They have exactly the same power with respect to management.

Mr. BALDWIN of New York. I do not see it that way. At any rate, the bill is going to be read and the gentleman will have time under the 5-minute rule to debate it and explain it. In the very short time I have had in which to study the bill it seems to me to be terrifically one-sided and to be an out and out attempt to get at labor. It is high time some of my colleagues in the House stopped such things if they want to come back.

Mr. CASE of South Dakota. When I have time in my own right I shall be pleased to explain the bill fully and clearly.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. JOHNSON of California. I wish the gentleman would give us the benefit of his opinion as to the liability provided under this bill for breach of any no-strike clause of a contract by a union or a union member. Does that mean that a company in the event a union breaks a clause in the contract can sue the union and the officers and every single member of the union?

Mr. BALDWIN of New York. I have not had sufficient time to study this bill. It has never been before the Committee on Labor or any other committee that I know of. It is the first time in all my legislative experience that a thing like this has happened to me, and I have been in legislative bodies for nearly 20 years. I do not myself understand it. I believe that they can do just that.

Mr. JOHNSON of California. And they could recover from an individual union member all that he happened to have, perhaps.

Mr. BALDWIN of New York. That is right, as I understand it; and that is one of the reasons why I say this bill is entirely one-sided. However, the whole matter will be debated under the 5-minute rule, and I am sure the official author

of the bill, the gentleman from South Dakota [Mr. CASE] will be able to give the answers.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. EDWIN ARTHUR HALL. The gentleman has a very fine mind and is a very able member of the Committee on Labor. I wish to ask him what his reaction is to the following question: What does he feel the picture will be in the current strike situation even if the Case bill or no other legislation on the subject should be passed as the result of these deliberations?

Mr. BALDWIN of New York. I think that within a very short time it will all be settled. But if we pass legislation which rearouses labor we may have a lot of wildcat strikes which the conservative labor leaders would like to prevent. I believe the passage of legislation will not help, but rather will hinder the solution of these problems.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. JENNINGS. I assume that the gentleman in his business experience has made a great many contracts. They were bilateral contracts that bound each party, were they not?

Mr. BALDWIN of New York. That is right.

Mr. JENNINGS. They were mutually entered into. Does the gentleman know of any reason why in any contract where each of the parties to that contract have knowingly and understandingly entered into it, one should have the right to violate it and inflict damage upon the other and that party which is causing the damage to the other not respond in damages?

Mr. BALDWIN of New York. I entirely agree with the gentleman. But I think that has been much exaggerated here; I do not believe that phase of the matter has been properly presented. I have not time to do it now. I would have to collect most of the facts to present; but I think the gentleman will find that in contracts made by responsible and reasonable labor leaders 99 percent have been kept—at least they were until the Smith-Connally Act was passed.

Mr. JENNINGS. Of course, if they complete them they have no cause to fear anything.

Mr. BALDWIN of New York. In conclusion, Mr. Chairman, I hope that when we come to the final vote on these measures that we defeat all labor legislation at the present sitting.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Chairman, I ask unanimous consent to speak out of order on a subject of interest to all Members of the House.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURPHY. Mr. Chairman, the Selective Service Medal, recently authorized by Congress, is being awarded to certain uncompensated members of the Selective Service System throughout the Nation who have served 2 years of service or more, in recognition of their faithful and loyal service.

Medals are being presented in each State and Territory at ceremonies arranged by the Governor and State Director of Selective Service.

The Pennsylvania presentation is scheduled for today at meetings to be held simultaneously in Harrisburg, Philadelphia, Pittsburgh, Scranton, and Erie.

I think this is a splendid idea. I believe I speak the unanimous sentiments of the House when I say that the able, conscientious, sincere work of those citizens in the promotion of the war effort should be so honored. These medals are richly deserved. To each and every one of them may I extend heartiest congratulations.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I wish to say to the gentleman from South Dakota [Mr. CASE] that when I quoted from the Bible in my question to the gentleman from West Virginia this afternoon there was no intention whatsoever to wound the sensibilities of the gentleman from South Dakota. There were no personalities intended.

Mr. CASE of South Dakota. I thank the gentleman for his statement. I am sure I did not so take it and I did not object to his words. It was not I who asked that the words be taken down.

Mr. CELLER. Mr. Chairman, I feel that both the Norton and Case bills would be an undue interference and a tragic interference with the right to strike and for that reason I must be against both bills. To my mind, the right to strike is an inalienable right. I remember when unorganized workers, including children, worked from dawn to dark with barely enough to keep them alive. Unions and strikes and threats of strikes changed that. Nearly every gain in over a hundred years has come through union of labor and strikes and threat of strikes. Decent wages and fair labor standards and working conditions have been secured from reluctant management only through strikes and threat of strikes. Our standard of living, the highest in the world, is primarily due to strikes, every one of which was denounced at the time in the press as socialistic or communistic or as destructive of the private enterprise system. If these strikes annoy you, reflect just one moment as to whether you were in favor a few years ago of child labor or a 12-hour day in the steel works.

This fact-finding bill deprives the workers of exercising that precious right to strike for 30 days. That time would destroy this inalienable right. In that period labor would have no rights. A strike after 30 days would be useless, as useless as dropping a bucket into an empty well. It would be a confrontation of an employee's fait accompli.

Let me read to you what William Green of the American Federation of Labor said before the Labor Committee:

Although the act provides that individuals as individuals, acting solely and independently without conferring, consulting, or agreeing with any other person or persons, may quit work, in practical effect this is merely a window-dressing device. The language is adopted to help save the constitutionality of an act which clearly imposes involuntary servitude on workers. Read literally, an individual may refuse to work himself, but he must not do so as a result of an agreement with another, and it becomes unlawful to induce or encourage another individual to abstain from working. This prohibition against a concerted refusal to work for a period of 30 days raises serious constitutional questions, for it thereby imposes upon workers involuntary servitude.

To my mind the fact-finding bill is bad, but the so-called Case bill is far worse. I would say that the Case bill is applauded by that type of industrialist who might have the best mind of the eighteenth century. The Case bill would be turning the clock backward. It is a denial of the fact that time marches on. We have outgrown the days of the yellow-dog contracts and indiscriminate labor injunctions which the Case bill would bring back. That bill would take us back to the robber baron days, to the industrialist buccaneer days. The great Socrates said: "We never should bathe in the same stream twice." With the Case bill we bathe in the murky, muddy waters of industry-labor disputes. To my mind if we are going to have fact-finding—and I am opposed to fact-finding—there must be attached to it at least two conditions precedent: One, there should be power to subpoena records and persons; two, there should be invocation of sanctions. Both conditions are absent in the Norton bill. I oppose that bill for that reason, as well as for other reasons.

It has been a painful experience to labor, the waiting, the tireless waiting for the War Labor Board to find facts in labor disputes. Labor fears, and rightfully so, the bureaucratic delays. Labor fears the employer litigation that would be raised by fact-finding. Labor sees no assurance of employer compliance even after the facts are found and the recommendations are made. Once bitten, twice shy. Labor has already been bitten many times and has a right now to be shy of this so-called fact-finding Norton bill.

It has been stated and brooded about that labor assumes a "public be damned" attitude. Let us examine that momentarily. Be advised that at this moment 43,000,000 men and women are engaged as industrial and service workers, and with their loved ones, their wives and their parents and their children, they constitute over 100,000,000 of the population of the United States. Labor does not want to hurt the public because it hurts labor to hurt the public. Remember, labor represents, I repeat, over 100,000,000 of the population of the Nation. The welfare of the rest of our people is insoluble. You deal with labor's welfare, with labor's take-home pay, with labor's purchasing power. I would like to advise and emphasize and underscore that

labor during the war kept a sacred pledge that it made not to strike, and it kept that pledge for 4 years. Labor is entitled to better recompense than some of the Members of this House want to give to labor.

It is interesting to note that after the last war 20.8 percent of the total workers were on strike. The situation is different now after this recent war. Less than 10 percent of the total employees of the country are now on strike. So the situation is not as dark and dismal as some of the Members of this House would want to make that situation out to be. I believe that these disputes will run their course in a very short time, and the difficulties will evaporate. But if we try to inject congressional action and we infuriate and we inflame and we act as picadors, then there will be more trouble. We will be pouring oil upon the fire and making the conflagration all the greater. I have great confidence in the future. I believe that we are on the verge of a great prosperity. Wall Street knows that. Despite all these strikes they believe that we are in for a huge wave of prosperity. Examine the stock market quotations and see how the stocks are constantly rising. They are not worrying about these strikes nor is the Internal Revenue Department worrying about these strikes. I have before me a prospectus for a balanced budget in the year 1947. If things were really as bad as they seem to be in the minds of some we could never balance our budget in 1947, but the Bureau of the Budget and the Internal Revenue Department say that we will balance our budget in 1947.

Mr. GREEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

HITLER LIVES?

Mr. GREEN. Mr. Chairman, when such an affirmative and progressive medium as the motion pictures tackles a topical problem with clarity and force I believe it is an event of the first magnitude. I say to you, without reservation, that I have just seen a splendid and striking example of the way the motion picture can be used in the public service and in a manner which must compel the admiration of, and the recognition by, this body and every American. I refer to the eloquent film document which Warner Bros. is presenting and which is entitled "Hitler Lives?" It is my earnest belief that Hitler Lives? contains a message, a warning, and a promise which are so urgent and so moving that it should be seen by every citizen of this country.

Every single American, as we know only too well, is seriously concerned with the specter of a possible Third World War. We hear from every side that what happened in 1918 and in 1939 must never happen again. We have a tremendous stake in so reeducating and rehabilitating the German people and nation that their will and power to make war is forever eradicated. And our desperate need is for the truth, for the historic facts, for the understanding of the way in

which a whole nation can be motivated toward conquest.

Before our very eyes, this picture presents a pictorial record of German aggression in its defiance for humanity and its contempt for the principles of democracy. Bismarck, the Kaiser, and, finally, Hitler—these three monsters, these despoilers of civilization, and all the evil they stand for are presented in an unforgettable manner.

Because Hitler Lives? brings home the desperate need for a realistic understanding of the problem we face today. I believe it merits our complete endorsement, without any reservation whatever.

By a bare and unadulterated presentation of fact, Hitler Lives? points the way toward our great need, at this time, of not allowing ourselves to forget, as we have done in the past, the holocaust that these people have wreaked upon civilization. Because it enables us to understand the nature of this aggression, it must lead to a resolution that we must prevent future aggression. Hitler Lives? breathes flaming life upon the momentous catastrophe of German history. The evidence piles up, and it is incontrovertible. It is an acid which has corroded the minds of men. It sheds a glaring light upon bigotry and other seeds of the Nazi creed.

Hitler Lives? is more than a lesson in history; it is a plea for good will in our own country. I urge, therefore, sober reflection upon its message, and, in appreciation of the enormous public service rendered by the presentation of Hitler Lives? I recommend that this picture and the producers, Messrs. Harry and Jack Warner, and all those instrumental in its production, be publicly commended by the Congress of the United States.

Mr. RANDOLPH. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Chairman, natural birth pains that attend the coming of economic freedom, have stirred up a feeling of panic in some quarters. Drastic measures are being urged upon us. Instead of allowing the current management-labor crisis to work itself out in a democratic way, as it will, we find the legislative doctors in a flurry of excitement. Some are even angry with the patient, which is hardly the way to win her confidence and cooperation.

Fact-finding legislation of some sort is being heralded as the sovereign remedy and the doctors are mixing this witch's brew in various and confusing proportions.

In its most violent form, it is a physis, compelling management to give up its books and labor to part with its right to strike.

In the watered-down formula, it is a patent medicine dosage, harmless, meaningless; a waste of time, money, and effort.

We are being advised to prescribe one or the other, when the patient will benefit from neither. A majority of the American family, embracing both conservatives and liberals, oppose purgatives and oppose quack remedies. They know that, in this case, the mere expedient of pouring something, anything, down the patient's throat, will accomplish nothing. She will come out of her exertions, as she

has before, functioning naturally, and she will bring forth a new economy, healthier and stronger, the less we meddle with its coming.

Americans resent any form of compulsion. We have just emerged from a war in which we gave beyond measure to eliminate force, once and for all, as a way of doing business. And yet there are some who, forgetting that the meaning of America is cooperation, now advise us to adopt a contrary policy, that of bearing down in the demanding manner. In the heat of a domestic crisis, they become impatient and impulsive. They would have us forfeit all that we have come to mean and in the rush to impose a settlement would crush our fundamental freedoms. The gentlemen who suggest this may mean well, but they should keep an eye on recent history.

Fascism and nazism came to power through labor disputes. On the pretext of maintaining law and order, they intervened with final authority. When management and labor "came to" they found they had lost out. And from this method of settling industrial disputes, came the greatest agony in man's experience.

The compound word "fact-finding" sounds innocent enough, but when it goes into action with teeth it opens the way to a controlled economy in which government would dictate wages and profits.

Without teeth, it is only a gesture, a form of legislative shadow-boxing, duplicating a remedy we already possess.

As President Truman said:

It is nothing new to have the Government get accurate information from the corporations.

Various Government agencies have been getting this information all along. As for the unions, the Labor Department has been able for some time to give us statistics—all the statistics we need—covering wages, gains in man-hour productivity, the cost-of-living index, unemployment, consumer demands, and all the other factors which enter into the case for the worker. When management and labor sit down together, what else do they put on the collective-bargaining table but the facts which both these organizations have assembled from their respective staffs of experts? Oftentimes, the facts are not in dispute. It remains a question of adjusting the facts and reaching a compromise. The only function of government is to serve as a conciliator and the procedure for this has been in operation with considerable success for a number of years.

Why, then, are we being asked to formulate repressive, or meaningless legislation? Fact-finding, with teeth, is a menace. Fact-finding without it is a mockery. We would be better occupied, I believe, in encouraging the democratic process of collective bargaining to settle the differences between management and labor.

Let us look at the record.

The Kaiser Steel Co. and the new Kaiser-Fraser automobile manufacturing venture have reached agreements with organized labor. After considerable negotiation, both Ford and Chrysler

have reached a compromise settlement with the unions. Although the prevailing rate at Ford's—\$1.21 per hour—was higher than General Motors—\$1.12 per hour—Ford nevertheless agreed to add an 18-cent-per-hour increase on this rate for his UAW employees. Furthermore, he added 15 cents per hour to the pays of salaried and white-collar workers covered by union representation. Similar understandings were arrived at through collective bargaining in the oil industry.

It is obvious that conditions differ from industry to industry, and even within a given industry. In some cases, free bargaining is impossible within the limits imposed by Government price policy. If one industry can make no gains in productivity, it cannot pay higher wages. It cannot, in all fairness, be expected to raise wages as soon or as far as the progressive industries. Nevertheless, the wages, even here, must go up to some extent, in line with the general trend. Since this industry has made no advance in man-hour productivity, it must be permitted to charge higher prices. Here, let it be clearly understood, we are referring only to the relatively stagnant industries.

On the other hand, our major industries have made exceptional gains in efficiency. During the war years, productivity in manufacturing industry rose 23 percent.

Let us take a hypothetical case. Suppose the facts, already available, show that a certain industry can pay a 50-percent increase in wages. This is no proof that it should. If the over-all increase in productivity happens to be 20 percent, this industry should raise wages from 20 to 25 percent and pass on most of the balance of its exceptional gains to consumers in the form of lower prices. At the same time, this industry is making more than average profits, in spite of higher wages and lower prices. No one questions its right to this share. However, the bulk of the gains must be spread through higher wages and lower prices else the economic machine will soon run down. The concentration of economic power brings responsibility. Management does not live in an ivory tower. Neither does labor live on the other side of the tracks. Both must work together producing and sharing in fair proportion, and always considering the welfare of the general public.

The facts put on the collective-bargaining table must include the picture of the country as a whole, in addition to the facts pertaining to the specific industry where the dispute arises. The collective bargain in each industry has become a matter of concern for all consumers. Management and labor, growing up to their responsibilities, must take these facts into consideration, as well as the specialized statistics of each industry.

The President has employed fact-finding, on an informal basis, to help bring the major disputes at General Motors and United States Steel to a compromise solution. It did not result in an immediate and dramatic success, but I believe that it has served to bring both parties closer to the understanding which they will surely reach.

The results achieved through collective bargaining in the Ford and Chrysler disputes provide the pattern for industrial peace which others must follow if they want to solve their problems in the American way and retain the public's faith and confidence in their ability to make this cooperative procedure work.

Because I believe that a solution, arrived at through collective bargaining, is not far away, I consider it ill-advised for the Congress to interfere with hasty legislation that will only serve to aggravate both parties to an industrial dispute.

Management and labor will settle their differences without any fact-finding meddling by the Government. They have the facts all ready and on the table. With these they will work out an agreement in the voluntary, cooperative, and democratic way. It is better so.

Mr. RANDOLPH. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. COFFEE].

Mr. COFFEE. Mr. Chairman, at a time when an outraged public opinion has forced the abandonment by some corporations of a conspiracy in American industry to destroy labor organizations, at a time when a formula appears to be evolving for the adjustment of present labor-management differences, a coalition of Republicans and Southern Democrats is seeking to railroad through the House a strike-breaking bill, H. R. 5262, which constitutes an irresponsible and indefensible form of governmental intervention in labor matters on the side of employers and a serious blow to present hopes for industrial peace. The bill, which has been forced by this coalition onto the floor of the House while the ink on it is barely dry and without consideration by the House Labor Committee, provides briefly:

A tripartite mediation board is created, with representation from labor, management, and the Government. The bill imposes upon employees the duty to refrain from striking until after the expiration of 5 days from the date on which notice is given to the board of an intention to strike. If the board determines that the dispute substantially affects the public interest, it may take jurisdiction over the dispute.

After the board has taken jurisdiction over the dispute the board may issue an order to require any person to refrain from calling a strike. It may also order any person to refrain from assisting a strike in any manner. Such an order is effective for any period the board may determine, but in no event for a period longer than 30 days from the date on which the board took jurisdiction.

The bill provides that the Attorney General, at the request of the Chairman of the Board, may obtain an injunction in the Federal courts to enforce the orders of the Board and expressly states that the Norris-LaGuardia Anti-Injunction Act is not to apply to the injunction proceedings authorized by the bill.

The bill further provides that collective labor agreements are to be mutually enforceable against each of the parties thereto in the Federal courts and expressly states that labor organizations may be sued in such courts.

The bill makes it unlawful for any person at any time "by the use of force and violence or threats thereof, to prevent or attempt to prevent any person" from quitting or remaining in employment, from accepting or refusing employment, or from entering or leaving a place of employment. Again, the Norris-LaGuardia Anti-Injunction Act is repealed for the purpose of authorizing the Federal court to issue injunctions to enforce this portion of the bill.

This section of the bill also provides that any employee who violates it is denied the protections of the National Labor Relations Act. A further provision denies reinstatement and back pay under the National Labor Relations Act to any employee who engages in violence, intimidation, the unlawful seizure of property in connection with a labor dispute, or any organizational activities.

The bill also deprives supervisory employees of the protections of the National Labor Relations Act. This class of individual is defined to include not merely normal supervisory employees but also those whose duties include the computation of the pay of other employees, the determination of time worked by other employees, or supervision or administration of the factors upon the basis of which the pay of other employees is computed.

Finally, the bill contains broad prohibitions upon boycotts by labor organizations and creates two sanctions to enforce these prohibitions: It authorizes the issuance of Federal injunctions against violation and expressly repeals the Norris-LaGuardia Anti-Injunction Act for that purpose. It denies to any individual who violates its provisions the protections of the National Labor Relations Act.

This bill is not merely the product of vindictive antilabor thinking; it is not merely a one-sided attempt to punish labor for industry's transgressions; it is a blow at the liberties of all free Americans. The evils of the bill may be summarized as follows:

First. For a period of 35 days—5 days prior to the assumption of the board of jurisdiction and 30 days thereafter—a strike by a labor organization is condemned as an illegal act. A strike is outlawed for the period no matter how justified its cause, how vicious the employer provocations, how peacefully it is conducted. The requirement that the controversy substantially affect the public interest is so broad—it is not made subject to judicial review—as to insure that the board will take jurisdiction over every strike of any proportions.

The bill piously protests that the "processes of collective bargaining must be protected and strengthened." Nothing could weaken collective bargaining more completely than the withdrawal from a labor organization of the opportunity to exercise the right to strike at a time when it deems it essential. The bill irresponsibly eliminates a vital inducement to the settlement of industrial disputes, namely, the possibility of a resort to a refusal to work. Why should an employer settle a controversy if the union is impotent? When a union is compelled to refrain from striking for a period as

long as 35 days, the right to strike becomes merely an empty right.

Second. The right to strike is not merely the most important asset of a labor organization, it is a vital asset of a democracy. The Nazis eliminated the right to strike and substituted for it industrial serfdom. This bill takes the same repressive road.

Third. The bill does not merely prohibit striking for a long period of time but it authorizes the Board to require any person, whether or not a party to a labor dispute, to refrain from assisting a strike during this period. This would condemn such constitutionally protected conduct as picketing, speaking over the radio in support of a strike, or any community activity in sympathy with strikers. Such broadside prohibitions make a mockery of democratic liberty and reflect the feudal thinking of a day when every form of concerted labor conduct was condemned as a conspiracy.

Fourth. The bill strikes a blow at the right to picket not merely during the 35-day cooling-off period but at all times. This is done under the guise of making it unlawful "by the use of force or threats of force" to prevent or attempt to prevent any person from quitting or remaining in employment, from accepting or refusing employment or from entering or leaving any place of employment.

This dragnet provision is little more than an attempt to subject to the process of injunction virtually every form of concerted activity traditionally engaged in by members of labor organizations to gain the support of their fellow employees.

Attorneys familiar with the decisions of the courts on questions of picketing will recall that there are courts which have held that picketing, however peacefully conducted, is by its very nature an attempt to exercise force. It is on this basis that many courts have in years past granted sweeping injunctions against concededly peaceful labor activity.

Attorneys familiar with the decisions of the courts on charges of "violence" in labor relations can tell of the implications to labor in a statute worded as is the Case bill. There are courts which, in injunction cases and in disorderly conduct cases, have held name calling or use of such terms as "scab" to constitute "force" or "violence."

This bill invites the Federal courts to enjoin the legitimate acts of labor organizations, and it also invites employers to discriminate against employees for picketing by removing from these employees the protections of the National Labor Relations Act. A more perfect union-busting provision could scarcely be devised.

Fifth. The bill reintroduces into the law the notorious antilabor injunction. In condemning strikes during the prescribed cooling-off period, and picketing and boycotts at all times, the bill authorizes the use of injunctions, ousted from the law by the Norris-LaGuardia Act only after years of bitter struggle. The bill thus makes of the Federal courts an instrument for the permanent repression of organized labor. Sweeping injunctions are made possible with all their attendant evils of repression and lack of

fair hearings. This feature of the bill alone exposes its completely antilabor bias, its contemptuous disregard of the rights of labor.

Sixth. The bill strips from thousands of American employees the protections of the Wagner Act and thus creates an atmosphere which will promote anti-union discrimination against all employees and resort to strikes.

The bill denies to supervisory employees and to other extremely broad classes of clerical employees the protections of the Wagner Act. This means that (a) an employer is free to discharge these employees for their union activity and to destroy their labor organizations with complete immunity, and (b) since these employees' labor organizations will be powerless to obtain recognition through the Wagner Act, they will be compelled to strike for that purpose.

During the period which the National Labor Relations Board administratively denied protection to supervisors, a series of strikes by these employees for recognition rocked the country. The denial in this bill of Wagner Act protections not only to supervisors but to thousands of clerical employees who desperately need these protections is a new guaranty of further strikes. Moreover, since the bill permits an employer to discriminate against certain of his employees for union membership and activity, it enables him by such discrimination to intimidate the remainder of his employees and to crush their labor organization as well.

Seventh. The bill is sharply one-sided and is directed exclusively against labor organization. Any realistic study of the bill will show that from the initial prohibition on the exercise of the right to strike to its final condemnation of boycotts it is wholly and completely directed against labor organization. Indeed, there is some window dressing to create a pretense of even-handedness but the entire thrust of the bill is against labor.

Thus, while the bill purports to deal with force and violence in labor disputes, it punishes only the assumed transgressions of labor organizations. Not a word is said in condemnation of employer-instigated and provoked violence for the purpose of breaking a strike. An eloquent silence is preserved about such matters as the use of armed strike-breakers, attacks upon strikers with weapons supplied by employers, such as tear gas, the bribery and subsidization of police officials to break strikes, or the other weapons of force, terror, and fraud, fully described in the LaFollette committee report, the use of which is commonplace today and constitutes a national scandal.

Similarly, the eagerness of the bill to prohibit and limit the concerted activities of labor organizations with respect to boycotts and picketing contrasts sharply with its silence concerning concerted employer activities. For example, the bill makes no proposals to check or enjoin the current conspiracy of American industrialists to defy the Wagner Act—a field in which the bill could make a vital contribution since the Wagner Act does not apply to conspiracies. The bill has nothing to say about the notorious Mohawk

Valley formula or other conspiratorial and collusive strike-breaking devices.

Also, the bill exposes labor organizations to the completely novel sanction of Federal lawsuits for contract breach. Through this device union treasuries can be milked dry by employers who provoke such breaches and union members and their children placed in permanent economic servitude to such employers. By way of contrast, the bill does absolutely nothing about the widespread flouting of War Labor Board directives by employers which has resulted in the denial to American workers of more than \$20,000,000 in back pay alone.

Eighth. The bill invites repression of labor by providing new punishments for conduct which is already subject to adequate restraint.

The bill's concern with supposed force and violence in picketing exposes its antilabor purpose. In the first place, in cases of true violence the Norris-LaGuardia Act now permits the issuance of injunctions. In the second place, there is no further need for Federal action in this field since the local courts and authorities are perfectly capable of restraining abuses on the picket line and, in fact, do so every day. Finally, there is no need to authorize the denial of reinstatement and back pay to a striker engaged in violence. The National Labor Relations Board does that under the Wagner Act. What this bill proposes is to make a picket-line scuffle or name calling an effective pretext for employer reprisal by denying the employee involved reinstatement and back pay.

This entire bill is ill-conceived and prejudiced.

Finally, Mr. Chairman, the introduction of this act at this time without prior consideration or study by the appropriate committee of the House, the House Committee on Labor, constitutes in my mind an act which jeopardizes labor peace on all fronts and at the very time when the country is just on the point that we are going to bring about a rapprochement between management and labor, at the very time when we are seeing a solution of the controversial labor questions. The introduction of this bill and the favorable consideration of the rule permitting it by the House in my judgment menaces the very peace and security of America and represents a blow directed at the re-conversion program toward which all people have been looking with hopeful eyes.

I hope and pray that the Case amendment or substitute for the bill reported by the House Labor Committee will be decisively voted down.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. RANDOLPH. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. MILLS] having assumed the chair, Mr. JARMAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor dis-

putes seriously affecting the national public interest, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. HOOK asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include two articles, one by Mr. Edison, distinguished correspondent of the NEA, and one by Mr. Thomas L. Stokes, and in the other to include a statement made by a number of Members of Congress.

Mr. MARCANTONIO asked and was given permission to extend his remarks in the RECORD and include an article written by Mr. Thomas L. Stokes appearing in today's Washington News, entitled "A Case in Point."

Mr. ROWAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks in the RECORD in two instances.

HOURLY OF MEETING TOMORROW

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent that when the House adjourns tonight it adjourn to reconvene tomorrow at 11 o'clock a. m.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore agreed to, the gentleman from Wisconsin [Mr. WASIELEWSKI] is recognized for 30 minutes.

THE ONE HUNDREDTH ANNIVERSARY OF THE FOUNDING OF THE CITY OF MILWAUKEE

Mr. WASIELEWSKI. Mr. Speaker, today, January 31, marks the one hundredth birthday of the great city of Milwaukee. Milwaukee, located in the southeastern part of Wisconsin, is the largest city in the State; it covers an area of approximately 44 square miles along the crescent curve of a bay on Lake Michigan's western shore. The Milwaukee harbor is considered the most beautiful on the Great Lakes and has often been called the Naples of America. We have an outer basin protected by Government breakwater, an outer harbor, a river entrance channel protected by piers, and an inner commercial harbor formed by the Milwaukee, Menominee, and Kinnickinnic Rivers. Toward the east, Milwaukee looks upon a marine landscape animated by freighters, car ferries, excursion steamers, and the white flecks of yacht and sailboat. Westward, highways lead past wooded farmlands to dozens of inland lakes. There are 106 inland lakes within an hour's drive of the city, where many residents of even moderate means have summer cottages. Milwaukee is the gateway to one of the greatest recreational areas in the world.

Beautiful parks and parkways border almost all of Lake Michigan, with 6 miles of shore drive and acres of scenic woodland and ravines. Washington Park is the home of the Blatz Temple of Music where Milwaukee's summer music program, Music Under the Stars, is held.

Outstanding opera and radio artists perform every year at Milwaukee's Washington and Humboldt Parks. The citizens' love for fine music is attested to by the capacity crowds.

This week Milwaukee is being honored by a series of national radio shows with famous stars of screen, stage, and radio paying tribute to the city on its one hundredth birthday. A special radio show earlier in the week over the ABC network included such famous Milwaukeeans as Dennis Morgan, Pat O'Brien, Jack Carson, Hildegard, and Woody Herman. Spencer Tracy, another former Milwaukeean, read a message from Gen. Douglas MacArthur, our No. 1 soldier. General MacArthur maintains his legal residence in Milwaukee, having received his appointment to West Point from the congressional district I have the honor to represent.

The Milwaukee Centurama during 1945 will include many events. The highlight of the year will be a 31-day exposition at the beautiful lake front to begin on July 12. It is hoped that President Truman may be able to break away from his arduous tasks to visit Milwaukee during the exposition, and I have recently tendered an invitation to the President in behalf of Mayor John Bohn, of Milwaukee.

Now for a few historical facts about our city. The name "Milwaukee" means beautiful or pleasant lands. The name was spelled in various ways, Mahn-a-waukie, Milwarck, Milwaucki. Then came the white man's modification in the spelling and for many years the printed records gave the name as Milwaukee. Then one fine day early in the last century a newspaper editor calmly changed the name to Milwaukee and so it has remained.

The site which was destined to become the future location of a great city was originally selected by an Indian. The spot was chosen because the surroundings served his convenience; the white man, too, saw a geographic location which was well suited for commercial and industrial pursuits. The first of the great explorers to visit the spot now known as Milwaukee was Father Pere Marquette, who stopped here on October 26, 1674, on his way to Green Bay from Chicago. The first trader who came with the intention of remaining was Alexander Lafrombois who came from Mackinaw in 1785. Six years later he was killed by a band of hostile Winnebagoes, and the Indian village was without a trader for the 4 years following. In 1795, Jacques Vieaux and John Baptiste Mirandau came from Green Bay. They were not permanent residents but commuted between Green Bay and Milwaukee, spending the summers in Green Bay and the winters in Milwaukee. Solomon Juneau, a French-Canadian, became the city's first permanent white settler in September of 1818.

While the first explorers, missionaries, and traders were Frenchmen from Canada, the white men who followed came predominantly from the New England States and New York. They were young men who were seeking their fortune in the West. They laid the foundations for the business enterprises. They estab-

lished the banks, insurance companies, the commercial enterprises. The industrial undertakings had their inception mainly with the German immigration which brought the skilled artisans and mechanics. They established the tanneries, machine shops, breweries, shoe factories, and so forth. Many of the names prominent in the early commercial life are still prominent in Milwaukee today—Plankinton, Layton, Bradley, Allis. Toward the last half of the nineteenth century the Anglo-American names were superseded by German and Irish and other nationalities.

Solomon Juneau, a fur trader originally, established Milwaukee as a fur-trading post. A few days ago, almost 100 years after the city was founded, Milwaukee resumed its position as one of the leading fur-trading centers in the country. It is expected that a total of \$13,000,000 worth of furs will be offered for sale this year in Milwaukee.

The city of Milwaukee actually had three founding fathers. Solomon Juneau, the French-Canadian who founded Juneau Town; Byron Kilbourn who came from Connecticut and became the founder of the west side, and Colonel Walker, a Virginian, who established a community on the south side known as Walker's Point. There was heated and often bitter rivalry between the residents of these communities in the early days. Byron Kilbourn became envious of the success of Solomon Juneau on the east side of the river and to spite him platted the streets on the west side in such a manner that the streets running toward the river did not join with those on the east side. He could not have been a very far-sighted man for he believed that Kilbourn Town and Juneau's Side would remain separate villages for all time. We are reminded of this old feud to this day by the crook in the streets as they approach the bridges across the Milwaukee River.

On January 31, 1846, the Wisconsin Territorial Legislature granted a charter whereby the three towns were incorporated as the city of Milwaukee, and Solomon Juneau was elected the first mayor. His inaugural address is significant in that it demonstrates a thorough grasp of the problem confronting the brand new city. Solomon Juneau pointed out the necessity of placing the municipality upon a sound financial basis. Today Milwaukee is the only major city in the United States that is debt-free. He pointed out the necessity of rendering the city readily accessible by water through an efficient harbor in the interest of commerce and trade, promoting the health of the community, affording relief to the destitute, strengthening the fire protection for life and property, and suppressing of evil gambling. Milwaukee's reputation for good government, efficient fire and police protection, low crime rate, great safety and health record and wonderful school system is internationally recognized. Equally legitimate is the claim that in an economic, social, and civic sense, Milwaukee takes a proud place among her sister cities. We rank second among the 13 leading cities in per capita high-school

attendance, and we have the largest vocational school in the country, with a peak enrollment during the war of 35,000. Milwaukee has attracted the attention of municipalities all over the world because of its fine sewage-disposal plant and water-purification system. The sewage-disposal plant is near the harbor entrance on land recovered from Lake Michigan. The model \$4,600,000 water-purification plant is on the shores of Lake Michigan, with a capacity of 200,000,000 gallons a day. Thus, in keeping with Juneau's counsel, every precaution is taken to safeguard the health of the people of Milwaukee.

We note that at its very inception the city of Milwaukee set up for itself a goal to become an ocean port. The completion of the St. Lawrence seaway will assure the realization of that goal. The shore lines of Lake Michigan, as well as that of the other Great Lakes, are blessed with many efficient lake harbors which are contributing so vastly to the splendid commerce now carried on these inland seas. The completion of the seaway will connect these inland oceans with the Atlantic and make possible the transformation of the harbors of Milwaukee, as well as other cities, into ocean ports.

No harbor along the shores of Lake Michigan is better equipped or carries a larger water-borne tonnage than does Milwaukee. The prospect of bringing America's Midwest a thousand miles nearer the high seas and the products of the factory and farm an equal distance nearer the markets of the world excites the imagination. It opens up a new frontier in America, the doorway to the creation of many new industries and jobs and a definite outlet for the produce of the tillers of the soil in the Midwest and Rocky Mountain regions.

The St. Lawrence seaway will not compete with existing transportation systems in America to any appreciable degree. It will, instead, open the way to new commerce and intercourse with the world that cannot now be realized because of its present fenced-in position. With our great productive capacity there should be no concern or fear in the future that the farmers' prices will be hammered down because of surpluses or bumper crops. The completion of the St. Lawrence seaway will open an avenue to better living for America as well as in our sister nations of the world and Milwaukee shall play an important role in that development.

Milwaukee is the thirteenth largest city in the Nation, the tenth in industry, and the eighth in conventions. In 1944 we hit a peak of manufacturing production with \$1,740,000,000 worth of products. Of course, a great share of this was war production. In 1945, with the cut-backs after VJ-day, our estimated production was \$1,480,000,000. The character of the people who settled in Milwaukee is, to a great extent, responsible for the fine record of industrial progress. The young New Englanders who came to seek their fortune had the commercial spirit, but the foreign immigrants were the ones who were industrially minded. Many of the great in-

dustries can trace their origin to some artisan or mechanic who learned his trade in the Old World. With the passing of time his small shop grew into a factory, more and more men were employed until a full-grown plant was in operation. Then came the genius of invention when the machine augmented hand labor. A succeeding generation introduced mass production and well-planned methods of distribution.

A city of modest middle western people who enjoy a full cultural life, Milwaukee is known the world over for its many products and diversification of industry. Referred to as the machine shop of America, this community of second and third generation skilled artisans and mechanics turned out enormous quantities of war material.

Milwaukee's principal industrial production includes metal products; motor vehicle bodies, parts, and accessories; machinery; tractors; food products; meat packing; leather and leather products; malt liquors; electrical machinery and apparatus; printing and publishing; chemicals, paints, and varnishes; and textile-mill products.

Milwaukee normally leads the world in the manufacture of silk hosiery, automobile frames, heavy pumping machinery, large gas engines, heavy lubricating equipment, power shovels, dredges, saw-mill and cement machinery, electrical control apparatus, rock crushers and wheelbarrows, hydroelectric units, and light woodworking machinery.

Prior to the war, the Milwaukee industrial area employed more persons in the manufacture of automobiles and automobile parts than any other city in the United States with the single exception of Detroit. It is the largest center for veal packing in the Nation. It consumes more steel than any other industrial area in the country.

Milwaukee is the home of four of the seven largest breweries in America. Our apprentice program and the on-the-job training has enabled us to maintain a high volume of sound, stable, skilled workmen and women. They have made a great contribution to our total war production program. The many products of Milwaukee's industry helped to win our total victory and they will help prepare the world for better living.

The success of Milwaukee is not due to its geographical location or because of the presence of any unusual natural resources; rather it is due to the character of its people, for though they may have come from many parts of the world, they are thoroughly American. Their civic pride and interest in cultural and educational fields have made them a very orderly, law-abiding, and peace-loving people. This is particularly apparent when one takes into account that 50.8 percent of the Milwaukeeans own the homes in which they are living. Milwaukee did not enjoy a mushroom growth, but a steady and gradual one, and as a result its people have become firmly and deeply rooted. The city today enjoys the highest percentage of American-born population of any city its size, to wit, 85.7 percent. Besides having one of the best school systems

in the country, it is recognized as a medical center, with many outstanding physicians and surgeons and fine hospitals and sanitariums. In addition to its public, parochial, and private schools, Milwaukee is the home of seven colleges, including two female and two theological seminaries.

Milwaukee has led the field in its contribution to the defense of our country. During the Civil War, with a population of 45,206, Milwaukee sent more than 5,000 soldiers to fight the Union cause and of that number about 1,000 were either killed or wounded. Again, in the Spanish-American War Milwaukee was well represented by her sons. During the First World War the city responded with money, machinery, and men, and was the first large city in the country to report a complete military registration on June 5. Milwaukee has more than 13,000 volunteers in service. In World War II, Milwaukee sent more than 86,000 men and women into service, and we are very proud of the fact that our city is the home of Gen. Douglas MacArthur. Among the men who gave their lives in the recently concluded conflict was our young mayor, Carl Zeidler, who resigned his position as mayor to answer the call to the colors and volunteered for service in the Navy. He was a member of the armed guard and in command of a gun crew on a small ship which was lost somewhere in the South Atlantic more than 2 years ago. No trace of the ship or its crew has ever been found. Carl Zeidler was but one of the many fine young men who made the supreme sacrifice.

Milwaukee had no strike or industrial disturbance to interfere with war production. Labor and management worked side by side with a commendable spirit of cooperation and produced the materials of war at superhuman speed and efficiency. A very enviable record was established when Milwaukee led the Nation in every war bond drive. That Milwaukeeans are community and civic minded is further attested to by the fact that every year the community chest is oversubscribed in short order.

The Milwaukee Chamber of Commerce was instrumental in establishing the first veterans' research section for employers, and the Milwaukee Institute on Veterans' Reemployment and Rehabilitation, sponsored by this division, was the first of its kind in the Nation. Proof of the fact that Milwaukee did an excellent job of planning lies in the fact that as of today we have no problem of unemployment.

Early Milwaukee was blessed with almost every nationality—Indian, French-Canadian, Anglo-Americans, Irish, English, Scotch, Welsh, French, German, Swiss, Dutch, and Scandinavian. During the late forties the Germans began to outnumber all others, and the Poles began to arrive in 1855, but most of them came in the early seventies. Since then the population has taken on a decidedly cosmopolitan aspect, and over 30 nationalities are now represented. The 1943 census estimated the population of Milwaukee at 618,000, and the

predominating national origins are German and Polish.

Milwaukee has established a record of true progress during the first century of its history. It has demonstrated that its people are soundly rooted, dependable, civic minded, and appreciative of the finer things in life. It has skilled artisans and mechanics, the citizens are conscientious, thrifty, and industrious. With this foundation Milwaukee has every reason to be confident that the future for it is bright. With the completion of the St. Lawrence seaway its growth and development should be without bounds. Milwaukee's achievement is truly representative of progressive America.

I would like to take this opportunity to invite all my colleagues to visit Milwaukee during the Centurama Exposition to be held next summer.

The SPEAKER pro tempore. Under previous special order, heretofore agreed to, the gentleman from New York [Mr. TAYLOR] is recognized for 5 minutes.

NATIONAL EXPENDITURES

Mr. TAYLOR. Mr. Speaker, a great deal has been said of late in this House about the necessity for economy in the various departments of Government. It is high time, in view of the national debt which at the present moment has indentured every citizen and has placed upon him the obligation to labor until he has paid as his share of that debt the sum of \$2,000.

The House last week spent long hours in a desperate attempt to pass legislation that would reduce, rather than increase, our national expenditures. To me the attitude of the House in attempting to make departments of our Government economize by cutting departmental appropriations is inconsistent, since the House takes no steps to prevent these same departments of the Government from giving away assets which belong to all of the people of this country. There seems to be no cohesion of thought or action between those who are attempting to save the taxpayers' money, and those whose duty it is to dispose of the Government's assets.

A few days ago my friend and colleague the gentleman from New York [Mr. LATHAM] told this House about the dumping of thousands of dollars' worth of trucks and equipment into the Pacific Ocean. You were appalled, and probably angered to learn that the Government had adopted such ruthless practices, particularly when there is such a demand for trucks and equipment. In your own back yard, so to speak, is a situation which is to me equally appalling.

In a place distant only 500 miles from Washington, the Government is about to dump what \$27,000,000 has created into the auctioneer's lap. I speak of the barracks at Plattsburg, N. Y. You who know the glorious past of Plattsburg as written in the history of World Wars I and II, will sustain me when I say that not only would it be a disgrace to demolish or dispose of that post, but also it would be an asinine thing to do, particularly when there is no present pressing

need for such action. The situation created by the relegating of this post to the Surplus Property Administration is identical with the situation which arose after World War I. Had it not been for the fact that someone with foresight concluded after that war that there might be a necessity in the future for military installations, Plattsburg would not have been intact for World War II. There were then people who said there would never be another war. We who have seen two wars are not so naive as to believe that there may never be another, as much as we work and pray for permanent peace. Residents of the Plattsburg community who are aware of the past, have raised their hands in horror when informed that disposal of the post may eventually take place. Newspaper editorials intimated that Members of Congress were lax in not finding means to prevent the disposal of a plant which they know has contributed so much to achieve victory in the last two World Wars. I can well appreciate the surprise and chagrin of the people of Plattsburg, since they and I were assured that the Army Air Forces would continue to occupy the plant with increased personnel.

There is a present need for Plattsburg Barracks. As you well know, every college and university in the United States today is overcrowded because of the fact that the colleges and universities were unprepared to accommodate more than the normal student quotas. They have been trying to sandwich in as many returned veterans as possible, without much success. In one college, for instance, located not far from Plattsburg, there is an overflow of some 300 veterans who are anxious to complete their college courses. If every university and college in the United States has an overflow of comparable size, it becomes a duty for Congress to establish veterans' universities to provide for the education of our veterans as guaranteed under the GI bill of rights.

We owe the veteran the duty, and we owe it to the future of America, to see to it that he has the opportunity to pursue higher education.

Under a bill which I have introduced, it is contemplated that any veteran who has been honorably discharged, and has completed a high-school course or its equivalent, could matriculate, and immediately pursue a course of study and be graduated with a recognized degree. Upon matriculation a veteran would waive the educational allotments provided for him in the GI bill of rights. The university would be established on the highest educational plane, and would provide courses of instruction recommended and approved by the New York State Board of Education. Supervision of educational methods and maintenance of standards of education would also be undertaken by that board operating in conjunction with a board of control also provided for in the bill. Graduates would receive degrees after successfully completing the courses prescribed by the board for such degrees. Maintenance of teaching personnel and necessary em-

ployees would be made by Government allotment, as would all other operational costs. The cost to the Government would be negligible.

The creation of such a university is by no means a novel idea. States and subdivisions of States have successfully operated schools. The Government of the United States now operates the United States Military Academy, the United States Naval Academy, and the United States Merchant Marine Academy. An urgent need exists for the education of every veteran who wishes to study, and that need cannot now be met unless we act to create an institution of learning for him. The solution lies in the passage of my bill to create such an institution.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CLEMENTS (at the request of Mr. BATES of Kentucky), indefinitely, on account of illness in family.

ADJOURNMENT

Mr. WASIELEWSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly, under its previous order, the House (at 5 o'clock and 40 minutes p. m.) adjourned until tomorrow, Friday, February 1, 1946, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 10:30 a. m. on Friday, February 1, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935, in room 1304, House Office Building.

COMMITTEE ON BANKING AND CURRENCY

There will be a meeting of the Committee on Banking and Currency at 10:30 a. m. on Friday, February 1, 1946, on continuation of housing.

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781, on Friday morning, February 1, at 10 a. m. in room 1012.

COMMITTEE ON THE JUDICIARY

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on Monday, February 4, 1946, on the bill (H. R. 5023) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the

Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1001. A letter from the president, the Chesapeake & Potomac Telephone Co., transmitting a comparative general balance sheet of the Chesapeake & Potomac Telephone Co. for the year 1945; to the Committee on the District of Columbia.

1002. A letter from the Administrator, Surplus Property Administration, transmitting the progress report for the third quarter of 1945; to the Committee on Expenditures in the Executive Departments.

1003. A letter from the Administrator, Surplus Property Administration, transmitting the fourth quarterly progress report of the Surplus Property Administration; to the Committee on Expenditures in the Executive Departments.

1004. A letter from the vice president and general manager, Potomac Electric Power Co., transmitting a report of the Potomac Electric Power Co. for the year ended December 31, 1945; to the Committee on the District of Columbia.

1005. A letter from the Director, Office of Contract Settlement, transmitting the sixth quarterly report of the Office of Contract Settlement; to the Committee on the Judiciary.

1006. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946 in the amount of \$17,790,000 for the Treasury Department (H. Doc. No. 433); to the Committee on Appropriations and ordered to be printed.

1007. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of \$85,000 for the Tariff Commission (H. Doc. No. 434); to the Committee on Appropriations and ordered to be printed.

1008. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of \$194,000 for the Civil Service Commission (H. Doc. No. 435); to the Committee on Appropriations and ordered to be printed.

1009. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year 1946 in the amount of \$16,652,500 for the Federal Security Agency (H. Doc. No. 436); to the Committee on Appropriations and ordered to be printed.

1010. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946, amounting to \$409,534,576 (H. Doc. No. 437); to the Committee on Appropriations and ordered to be printed.

1011. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal years 1945 and 1946 in the amount of \$1,314,039.63, together with a draft of a proposed provision pertaining to an existing appropriation, and proposed authorization for the expenditure of Indian tribal funds, for the Department of the Interior (H. Doc. No. 438); to the Committee on Appropriations and ordered to be printed.

1012. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946 in the amount of \$5,365,000 for the Department of Agriculture, together with an authorization to borrow an additional sum of \$100,000,000 from the Reconstruction Finance Corporation (H. Doc. No.

439); to the Committee on Appropriations and ordered to be printed.

1013. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1947 in the amount of \$1,282,000, together with a draft of a proposed provision, for the Department of Commerce, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 440); to the Committee on Appropriations and ordered to be printed.

1014. A communication from the President of the United States, transmitting deficiency estimates of appropriation for the fiscal year 1945 and prior years in the sum of \$71,761.59, and supplemental estimates of appropriation for the fiscal year 1946 in the sum of \$446,300, amounting in all to \$518,061.59, for the Department of Justice (H. Doc. No. 441); to the Committee on Appropriations and ordered to be printed.

1015. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of \$200,000 for the Office of War Mobilization and Reconversion (H. Doc. No. 442); to the Committee on Appropriations and ordered to be printed.

1016. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of \$1,700,000 for the Civilian Production Administration (H. Doc. No. 443); to the Committee on Appropriations and ordered to be printed.

1017. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of \$1,854,000 for the Office of Price Administration (H. Doc. No. 444); to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 5260) granting a pension to Charles E. Carlovitz, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOYLE:

H. R. 5308. A bill to impose tax on angora rabbit wool and yarn imported into the United States; to the Committee on Ways and Means.

By Mr. BELL:

H. R. 5309. A bill relating to the audit of accounts of Puerto Rico and its agencies and corporations; to the Committee on Insular Affairs.

By Mr. GREEN:

H. R. 5310. A bill to repeal the unused excess profits credit carry-back from taxable years beginning after December 31, 1945; to the Committee on Ways and Means.

By Mr. HENRY:

H. R. 5311. A bill to amend Revised Statutes 4921 (U. S. C. A., title 35, patents, sec. 70), providing that damages be ascertained on the basis of compensation for infringement; to the Committee on Patents.

By Mrs. LUCE:

H. R. 5312. A bill providing for the elimination of unfair wage practices by establishing a principle of equal pay for equal work without respect of the sex or color of the worker; to the Committee on Labor.

By Mr. TAYLOR:

H. R. 5313. A bill to establish the Veterans University of Plattsburg, N. Y., provide a

board of control therefor, and make an appropriation for its establishment and maintenance; to the Committee on World War Veterans' Legislation.

By Mr. ALLEN of Louisiana:

H. R. 5314. A bill to provide for an appropriation of \$150,000 with which to continue the survey of the old Indian trail known as the Natchez Trace through Louisiana and Texas, with a view of constructing a national road on this route to be known as the Natchez Trace Parkway; to the Committee on Roads.

By Mr. BIEMILLER:

H. R. 5315. A bill to make imported beer and other similar imported fermented liquors subject to the internal-revenue tax on fermented liquors; to the Committee on Ways and Means.

By Mr. BRADLEY of Michigan:

H. R. 5316. A bill to repeal the law permitting vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. NORRELL:

H. R. 5317. A bill to amend the act establishing the Hot Springs National Park; to the Committee on the Judiciary.

By Mr. PACE:

H. R. 5318. A bill to amend the act approved June 16, 1942, entitled "An act to readjust the pay and allowances of personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," and for other purposes; to the Committee on Military Affairs.

By Mr. SMITH of Wisconsin:

H. R. 5319. A bill to authorize a preliminary examination and survey of Pecatonica River, Wis. and Ill., for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. HOFFMAN:

H. R. 5320. A bill to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, to diminish unemployment, to establish a national policy for assuring continuing employment in a free, competitive economy, and to protect the right to work; to the Committee on Labor.

By Mr. KNUTSON:

H. J. Res. 312. Joint resolution for the appointment of a joint committee to investigate conditions in Germany; to the Committee on Rules.

By Mr. VURSELL:

H. J. Res. 313. Joint resolution for the appointment of a joint committee to investigate conditions in Germany; to the Committee on Rules.

By Mr. MASON:

H. Con. Res. 125. Concurrent resolution for the appointment of a joint committee to investigate conditions in Germany; to the Committee on Rules.

By Mr. LANHAM:

H. Res. 503. Resolution to amend paragraph 2 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 5321. A bill for the relief of Francesco Antonio Pataca; to the Committee on Immigration and Naturalization.

By Mr. GREEN:

H. R. 5322. A bill for the relief of Mrs. Mary Wadlow; to the Committee on Pensions.

By Mr. HAYS:

H. R. 5323. A bill for the relief of Desmark Wright; to the Committee on Claims.

By Mr. KOPPLEMANN:

H. R. 5324. A bill for the relief of Mrs. Mary Francoline and Mrs. Rose Wallace; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 5325. A bill granting a pension to Oscar O. Cox; to the Committee on Pensions.

By Mr. WIGGLESWORTH:

H. R. 5326. A bill for the relief of Mr. and Mrs. George W. Wade; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1508. By Mr. FORAND: Joint resolution of the General Assembly of the State of Rhode Island and Providence Plantations, requesting the Senators and Representatives from Rhode Island in the Congress of the United States to work for an amendment to the GI Bill of Rights Act in order that men in the armed services who are hospitalized may have the same right as honorably discharged veterans to purchase Federal surplus property; to the Committee on World War Veterans' Legislation.

1509. By Mr. GOODWIN: resolution of the Board of Aldermen of the City of Somerville, Mass., regarding a Federal cash bonus for veterans of World War II; to the Committee on World War Veterans' Legislation.

1510. By Mrs. SMITH of Maine: Petition signed by Mrs. Nellie G. Saunders, of Rockland, Maine, and other citizens of surrounding towns, asking that the Townsend plan get a quick and complete hearing; to the Committee on Ways and Means.

1511. By the SPEAKER: Petition of the District of Columbia Branch of the National Association for the Advancement of Colored People, urging consideration of their resolution with reference to endorsement of House bill 4437; to the Committee on Labor.

1512. Also, petition of the Gulf Coast Rod, Reel, and Gun Club, urging consideration of their resolution with reference to endorsement of H. R. 519, the Mundt bill; to the Committee on Rivers and Harbors.

SENATE

FRIDAY, FEBRUARY 1, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou Shepherd of Souls who dost neither slumber nor sleep, we seek the completeness which is only in Thee, because Thou hast first sought us. In conscience, in quiet hours when above earth's strident voices the still small voice speaks to ourselves, in thoughts that will not stay on the ground, in deep needs that drive us to Thyself, in the sacrament of human love, the beauty of nature, the spiritual heritage of our race, in seers and prophets and in Christ over all Thou dost stand at the door and knock. May we open the door and, admitting the Divine Guest, be ourselves fit channels of that love which at last will break down every wall of partition and fulfill the desires of all nations. We ask it in the dear Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

TRANSACTION OF ROUTINE BUSINESS

Mr. O'DANIEL obtained the floor.

Mr. RUSSELL. Mr. President, if the Senator from Texas will yield, I wish to suggest the absence of a quorum.

The PRESIDENT pro tempore. Before that is done, the Chair would like to lay before the Senate certain reports, and so forth, for appropriate reference, and there is other routine business which, if there is no objection, might be transacted at this time.

By unanimous consent, the following routine business was transacted:

BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The PRESIDENT pro tempore laid before the Senate a letter from the chairman of the Committee on Commerce [Mr. BAILEY], which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON COMMERCE,
January 24, 1946:

Hon. KENNETH MCKELLAR,
President pro tempore of the Senate,
Senate Office Building,
Washington, D. C.

DEAR MR. PRESIDENT: I am writing to advise that in accordance with the provisions of the act of July 15, 1939, I have appointed the following members of the Committee on Commerce to be members of the Board of Visitors to the United States Coast Guard Academy:

Senator CHARLES C. GOSSETT, of Idaho.
Senator WILLIAM F. KNOWLAND, of California.

Under the provisions of the law, the chairman of the Committee on Commerce is an ex officio member of the Board. I will announce the appointment of these members in the Senate at the first opportunity as they are designated in January of each year. I am writing to inform you of the names of my appointees because of the fact that under the law the President of the Senate appoints one member of the Board.

With best wishes,

Yours very truly,

JOSIAH W. BAILEY,
Chairman, Committee on Commerce.

BOARD OF VISITORS TO THE UNITED STATES MERCHANT MARINE ACADEMY

The PRESIDENT pro tempore laid before the Senate a letter from the chairman of the Committee on Commerce [Mr. BAILEY], which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON COMMERCE,
January 24, 1946.

Hon. KENNETH MCKELLAR,
President pro tempore,
United States Senate,
Washington, D. C.

DEAR MR. PRESIDENT: Pursuant to the provisions of Public Law 301 of the Seventy-eighth Congress I have appointed as members of the Board of Visitors to the United States Merchant Marine Academy the following members of the Committee on Commerce:

Senator JOHN L. MCCLELLAN, of Arkansas.
Senator GUY CORDON, of Oregon.